Invitation for Bids

IFB # - C043615

Snow Plowing and Snow/Ice Removal at NYS Veterans Home at Batavia

Issued: November 19, 2026

PERMISSIBLE SUBJECT MATTER CONTACT:

Pursuant to State Finance Law § 139-j(3)(a), the New York State Department of Health (hereinafter referred to as the "**Department")** identifies the following allowable person to contact for communications related to the submission of written bids, written questions, pre-bid questions, and debriefings.

Michael A. Furness
New York State Department of Health
Health Facilities Management – NYS Veterans Home at Batavia
220 Richmond Ave
Batavia, NY 14020
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Email Address: michael.furness@nysvets.org

DESIGNATED CONTACT:

Pursuant to State Finance Law §§ 139-j and 139-k, the Department identifies the following designated person to whom all communications attempting to influence the Department's conduct or decision regarding this procurement must be made.

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Bureau of Contracts
New York State Department of Health
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1. CALENDAR OF EVENTS

IFB C043615 – Snow Plowing and Snow/Ice Removal Services at NYS Veterans Home at Batavia	
EVENT	**DATE**
Issuance of Invitation for Bids	November 19, 2026
Registration for Mandatory Site Visit Required By	December 3, 2026
Mandatory Site Visit	January 14, 2027
Deadline for Submission of Written Questions	Questions Due by *February 11, 2027 at 4*:**00 p.m. ET**
Responses to Written Questions Posted by the Department	Responses to be Posted **On or About February 18**,*2027*
Deadline for Submission of Bids	Bids Due on **Or** Before Date *March 4, 2027 at 4*:**00 p.m. ET**
Anticipated Contract Start Date	November 1, 2027

2. OVERVIEW

Through this Invitation for Bids ("IFB"), the New York State Department of Health (the "Department") is seeking competitive bids from qualified organizations for snow plowing and Snow/Ice Removal services, including Sanding and Salting, for all designated parking areas, roadways, and walkways throughout the NYS Veterans Home at Batavia property, as further detailed in Section 4. (DETAILED SPECIFICATIONS). It is the Department's intent to award one (1) contract from this procurement.

2.1. Introductory Background

The NYS Veterans Home at Batavia located at 220 Richmond Ava, Batavia, NY 14020_provides essential healthcare services to veterans and must always maintain safe and accessible facilities. It is necessary to hire a contractor to plow, salt, sand, and remove snow from parking areas, roadways, and walkways throughout the campus. Without regular snow and ice removal and preventative treatment measures, access to the facility and parking would be negatively impacted, and the safety of patients, staff, and visitors would be at risk. Failure to provide adequate snow and ice removal services would also disrupt critical medical operations and emergency services. The selected Contractor will provide annual snow plowing and snow/ice removal services, including sanding and salting, at the NYS Veterans Home at Batavia.

2.2 Important Information

The Bidder **must** review, and is requested to have its legal counsel review, Attachment 8, the DOH Agreement (Standard Contract), as the successful Bidder must be willing to enter into the Contract awarded pursuant to this IFB in the terms of Attachment 8, **subject only to any amendments to the Standard Contract agreed by the Department during the Question and Answer Phase of**

this IFB *(see,* Section 5.2**)**. Please note that this IFB and the awarded Bidder's Bid will become part of the Contract as Appendix B and C, respectively.

It should be noted that Appendix A of Attachment 8, "Standard Clauses for New York State Contracts", contains important information, terms and conditions related to the Contract to be entered into as a result of this IFB and **will be incorporated, without change or amendment**, into the Contract entered into between the Department and the successful Bidder. By submitting a response to this IFB, the Bidder agrees to comply with all the provisions of the Contract, including all of the provisions of Appendix A.

Note, Attachment 7**,** the Bidder's Certified Statements, **must** be submitted by each Bidder and includes a statement that the Bidder accepts, **without any added conditions, qualifications or exceptions,** the contract terms and conditions contained in this IFB including any exhibits and attachments, including, without limitation, Attachment 8. It also includes a statement that the Bidder acknowledges that, should any alternative proposals or extraneous terms be submitted with its Bid, such alternate proposals or extraneous terms will not be evaluated by the Department.

Any qualifications or exceptions proposed by a Bidder to this IFB should be submitted in writing using the process set forth in Section 5.2 (Questions) prior to the deadline for submission of written questions indicated in Section 1. (Calendar of Events). Any such qualifications or exceptions that are not proposed prior to the deadline for the submission of written questions will not be considered by the Department after contract award. Any amendments the Department makes to the IFB as a result of questions and answers will be publicized on the Department's web site and will be available and applicable to all Bidders equally.

2.3. Term of Agreement

The term of the Contract that will be entered into pursuant to this IFB between the Department and the successful Bidder is expected to be for a period of *five (5) years* commencing on the date shown on the Calendar of Events in Section 1, subject to the availability of sufficient funding, successful Contractor performance, and approvals from the New York State Attorney General (AG) and the Office of the State Comptroller (OSC).

The pricing for years four (4) and five (5) of the Contract is subject to an annual increase or decrease as described in Section 5.4 (Payment).

3. MINIMUM QUALIFICATIONS TO BID

3.1. Mandatory Site Visit

Bidders intending to submit a bid will be required to attend a mandatory site visit which will provide an opportunity to see firsthand the areas wherein the tasks are to be performed and the special needs of the facility. The schedule for the Mandatory Site Visit is shown in the Calendar of Events. All bidders must send an email to Thomas Tripi at Thomas.tripi@nysvets.org. to confirm their intent to participate by December 3, 2026, Thomas.tripi@nysvets.org. Any bids received from vendors who have not attended the mandatory site visit and toured the site will be rejected and not eligible for award. Questions posed during the Mandatory Site Visit will be announced and answered for all attending to hear. Questions raised and verbal responses provided during the Mandatory Site Visit will be incorporated into the Department's official response to questions (both written and Mandatory Site Visit questions) to be posted to the Department's website for this IFB, on or about the date specified in the Calendar of Events. Officially responses will be incorporated in to the Questions and

Answers document posted on the Department's website for this IFB. Verbal responses provided during the Mandatory Site Visit (or at any other time) do not represent the official answer and the Department shall not be bound in any way by any such verbal answer.

3.2. Mandatory Qualifications

The Department will only accept Bid proposals from Bidders who meet all of the following specified minimum requirements:

- *A minimum of three (3) years verifiable commercial -experience with Snow Plowing, Salting and Snow/Ice Removal Services within the last 10 years; and*

Failure to meet these minimum Qualifications will result in a bid being found non-responsive and eliminated from consideration.

3.3. References

Provide references using Attachment 9 (References) for three current or former customers that will verify the bidder's provision of verifiable commercial experience with Snow Plowing, Salting and *Snow/Ice Removal Services* for a period of three (3) years' experience. Provide firm names, addresses, contact names, telephone numbers, and email addresses.

Failure to meet these Minimum Qualifications will result in a Bid being found non-responsive and eliminated from consideration.

4. DETAILED SPECIFICATIONS

This Section describes Snow Plowing and Snow/Ice Removal at NYS Veterans Home at Batavia that are required to be provided by the successful Bidder. The selected Bidder must be able to provide all of these products or services throughout the contract term.

PLEASE NOTE: To be considered responsive, a Bidder will be required to provide responses that address all of the requirements of this IFB as part of its Bid.

For purposes of this IFB, the terms “shall”, “must” and “will” are used interchangeably when describing the requirements for a Bidder’s responsive Bid or the Contractor’s duties under the Contract to be entered into between the Department and the successful Bidder.

4.1. Location and Scope of work

The contractor shall ensure that the NYS Veterans Home at Batavia facilities roads/walkways are treated with rock salt or approved equal material and snow/ice has been removed prior to 6:00 AM, Monday through Sunday. It is the responsibility of the contractor to monitor weather conditions and be available to respond to contract services at any time throughout the duration of the contract. The contractor must be available to provide service 24 hours per day, 7 days per week every time a snow/ice storm event occurs that is greater than two (2) inches of snow or any amount of ice accumulation to ensure uninterrupted access to the NYS Veterans Home at Batavia facilities. Contractor shall return as needed during each snow/ice event to plow blowing, drifting and falling snow upon notification of the Plant Superintendent or designee. It is expected that snow accumulations shall not exceed two (2) inches at any time during a snow event. No amount of ice accumulation is acceptable.

When snow and/or ice conditions are forecasted within a 12 to 24-hour period, the contractor will be contacted by the Plant Superintendent or designee to coordinate the timing of pre-treatment of snow/ice removal activities, and rock salt or approved equal material. Equal material must be approved by the Plant Superintendent or designee at the beginning of the snow removal year . The Contractor must be able to respond to NYS Veterans Home at Batavia facilities to perform contract services within one (1) hour of being contacted by the Plant Superintendent or designee. The Plant Superintendent or designee will be responsible for contacting the contractor to authorize and coordinate the timing of all snow/ice removal activities.

Contractor shall take preventative measures to prevent ice build-up and shall take appropriate action to remove ice should it build-up on any vehicular and pedestrian surfaces. Contractor shall provide pre-treatment and snow/ice removal services for all pedestrian walkways on the facility premises [See Attachment C].

Snow piles/banks shall not be placed in such a manner as to block the view from a standard vehicle or block any parking space(s). Snow piles/banks shall not be placed in areas specifically designated as no dumping areas in map figures [See Attachment C].

Snow placement areas shall be coordinated with the Plant Superintendent or designee. Snow will be pushed as far away from designated parking lanes and areas as possible without impeding on designated no-dumping areas.

After the plowing/removal of snow and/or ice, rock salt or approved equal material . shall be effectively applied to all parking areas, parking lots, driveways and sidewalks with the intent to prevent the build-up of snow/ice and thereby reduce the risk of all accidents. Only non-corrosive treatments (rock salt or approved equal material) shall be approved by NYSDOH for use on building entrance steps/stairways, sidewalks, brick paved areas and all surfaces adjacent to and within 25 feet leading up to building entrances. Contractor shall supply all materials, including rock salt or approved equal material as needed. All such materials shall only be used after receiving approval from the Plant Superintendent or designee. Based on a variety of environmental conditions, Contractor must understand and agree that actual quantities of rock salt or approved equal material needed per application may vary for each snow/ice event.

All snow must be cleared from the length of any municipal sidewalk(s) for which that site is responsible, as per local municipal regulations. No sidewalks shall be blocked by snow banks at any time. Any fines, penalties, or assessments resulting from failure to clear municipal sidewalks as required by local law shall be charged to the Contractor.

Snow plowing equipment must not contain any metal tracks, tires, or studs, which may cause damage to paved surfaces and sidewalks.

It is expected that the contractor shall use rock salt or an equal material approved by NYS Veterans Home at Batavia when treating lots, walkways and sidewalks. In extreme temperature situations, treatments other than rock salt or approved equal material may be employed, but only after consultation with the Plant Superintendent or designee.

4.2. Damage Remediation Requirements

The Plant Superintendent or designee can direct the Contractor and the Contractor will respond to the Department's request within five (5) business day for any repair any damage resulting from the Contractor's operations. The restoration areas may require further attention beyond June 1st. Prior to starting work the vendor can request that the Plant Superintendent or designee perform a walk through to assess the status of all grounds and noting any deficiencies prior to the start of services.

Between May 1st and June 1st of each contract year, the Veterans Home at Batavia will perform an assessment of the grounds to determine all damages incurred by the Contractor during the snow and/or ice removal and treatment services during the previous winter season for which corrections (remediations) were not made.

Contractor shall be liable for any repairs to the site caused by any snow or ice removal services, including but not limited to lawn and landscaped areas, parking facilities or pedestrian areas. Such repairs shall be completed and approved by the Plant Superintendent prior to submission of the season's final invoice.

4.3. Security Requirements

Please note that site location covered by this agreement have mandatory security policies and procedures which must be followed at all times. The Contractor will work with the NYS Veterans Home at Batavia Plant Superintendent or designee to obtain necessary clearances. The Contractor may be required to provide information such as, but not limited to, the company name, the

employee's name (as it appears on ID), valid driver license number, vehicle make, model and license plate, etc.

The Contractor will be required to follow the direction of the NYS Veterans Home at Batavia Plant Superintendent or designee, as well as the security personnel teams to ensure that the Contractor is compliant with all facility-specified security policies at all times.

4.4. Payment

Payment of invoices and/or vouchers submitted by the successful Bidder pursuant to the terms of the Contract entered into pursuant to this IFB by the Department shall be made in accordance with Article XI-A of the New York State Finance Law. Payment terms will be:

The Contractor shall submit invoices and/or Claim for Payment to the State's designated payment office:

Preferred Method: Email a .pdf copy of your signed Claim for Payment to the Business Service Center (BSC) at: AccountsPayable@ogs.ny.gov and cc to your Contract Manager with a subject field as follows:

Subject: Unit ID: 3450240; Contract Number C043615

Alternate Method: Mail signed, original Claim for Payment at the following U.S. postal address:

NYS Department of Health
Unit ID 3450240; Contract Number C043615
c/o NYS OGS BSC Accounts Payable
Building 5, 5th Floor
1220 Washington Ave.
Albany, NY 12226-1900

Payment for invoices and/or vouchers submitted by the CONTRACTOR shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The CONTRACTOR shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at www.osc.state.ny.us/epay/index.htm, by email at epayments@osc.state.ny.us or by telephone at 518-474-6019. CONTRACTOR acknowledges that it will not receive payment on any invoices and/or vouchers submitted under this Contract if it does not comply with the State Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

In addition to the Electronic Payment Authorization Form, a Substitute Form W-9 must be on file with the Office of the State Comptroller, Bureau of Accounting Operations. Additional information and procedures for enrollment can be found at http://www.osc.state.ny.us/epay. Completed W-9 forms should be submitted to the following address:

NYS Office of the State Comptroller
Bureau of Accounting Operations Warrant & Payment Control Unit
110 State Street, 9th Floor
Albany, NY 12236

Payment of such invoices and/or vouchers by the State (NYS Department of Health) shall be made in accordance with Article XI-A of the New York State Finance Law. Payment terms will be:

The Contractor will submit monthly invoices for expenses that have been incurred, due 30 days after the end of each month. Any fines, penalties, or assessments resulting from failure to clear municipal sidewalks as required by local law shall be charged to the Contractor.
Please note the following:

• The contractor will be paid according to the Per Visit Monthly Base Bid Price or Price per Snow/ Ice Event listed in the Bid Form (Attachment B).

Price Adjustment Clause

The pricing for years four (4) and five (5) of the Contract will be subject to an annual increase or decrease of the lesser of three percent (3%) or the percent increase or decrease in the National Consumer Price Index for All Urban Consumers (CPI-U) C043615 *Table 1. Consumer Price Index for All Urban Consumers (CPI-U): U. S. city average, by expenditure category*, as published by the United States Bureau of Labor Statistics, Washington, D.C. 20212, for the 12 month period ending ninety (90) days prior to the commencement date for years *four (4) and five (5) of the Contract.* Contractor wishing to exercise this option should provide written notice to the Department program/contract manager.

4.5. Subcontracting

Bidders may propose the use of a subcontractor. The Contractor shall obtain prior written approval from the Department before entering into an agreement for services to be provided by a subcontractor. The Contractor is solely responsible for assuring that all the requirements of the IFB are met. All subcontracts shall contain provisions specifying that the work performed by the subcontractor must be in accordance with the terms of the prime contract, and that the subcontractor specifically agrees to be bound by the confidentiality provisions set forth in the agreement between the Department and the Contractor. The Department reserves the right to request removal of any Bidder's staff or subcontractor's staff if, in the Department's discretion, such staff is not performing in accordance with the Agreement.

NOTE: Subcontractors whose contracts are valued at or above $100,000 will be required to submit the Vendor Responsibility Questionnaire upon selection of the prime Contractor.

4.6. Contract Insurance Requirements

Prior to the start of work under this Contract, the Contractor shall procure, at its sole cost and expense, and shall maintain in force at all times during the term of this Contract, insurance of the types and in the amounts set forth in Attachment 8, the New York State Department of Health Appendix, Section IV.

4.7. Minority & Women-Owned Business Enterprise (M/WBE) Requirements

Pursuant to New York State Executive Law Article 15-A, the Department recognizes its obligation to promote opportunities for maximum feasible participation of **certified** minority-and woman-owned business enterprises and the employment of minority group members and women in the performance of the Department's contracts.

Business Participation Opportunities for M/WBEs

For purposes of this IFB, the Department hereby establishes an overall goal of 30% for M/WBE participation, 15% for Minority-Owned Business Enterprises ("MBEs") participation and 15% for Women-Owned Business Enterprises ("WBE**s**"), based on the current availability of qualified MBEs and WBEs and outreach efforts to certified M/WBE firms. The successful Bidder who becomes the Contractor under the Contract entered into with the Department pursuant to this IFB must document good faith efforts to provide meaningful participation by M/WBEs as subcontractors or suppliers in the performance of the Contract consistent with the M/WBE participation goals established for this procurement, and Contractor must agree that the Department may withhold payment pending receipt of the required M/WBE documentation. For guidance on how the Department will determine "good faith efforts," refer to 5 NYCRR §142.8.

The directory of New York State Certified M/WBEs can be viewed at: https://ny.newnycontracts.com/. The directory is found in the upper right-hand side of the webpage under "Search for Certified Firms" and accessed by clicking on the link entitled "MWBE Directory". Engaging with firms found in the directory with like product(s) and/or service(s) is required, and all communication efforts and responses should be well documented to establish Contractor's "good faith efforts".

By submitting a Bid in response to this IFB, for contracts with an MWBE goal above, a Bidder agrees to complete and submit an M/WBE Utilization Plan (Attachment 5, Form #1) prior to award. The Department will review the submitted M/WBE Utilization Plan. If the Plan is not accepted, the Department may issue a notice of deficiency. If a notice of deficiency is issued, Bidder agrees that it shall respond to the notice of deficiency within seven (7) business days after Bidder's receipt of such notice.

The Department may disqualify a Bidder as being non-responsive to this IFB under the following circumstances:

a) If a Bidder fails to submit a M/WBE Utilization Plan;
b) If a Bidder fails to submit a written remedy to a notice of deficiency;
c) If a Bidder fails to submit a request for waiver (if applicable); or
d) If the Department determines that the Bidder has failed to document good-faith efforts to provide meaningful participation by M/WBEs under the Contract in accordance with the goals for this IFB established by the Department.

The Contractor will be required to attempt to utilize, in good faith, any MBE or WBE identified in its M/WBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to the Department but must be made no later than prior to the submission of a request for final payment on the Contract.

The Contractor will be required to submit a Contractor's Quarterly M/WBE Contractor Compliance & Payment Report to the Department, by the 10th day following each end of quarter over the term

of the Contract documenting the progress made toward achievement of the M/WBE goals of the Contract.

If (a) the Department determines that the Contractor is not in compliance with the M/WBE requirements of the Contract and the Contractor refuses to comply with such requirements, or (b) the Department finds that the Contractor has willfully and intentionally failed to comply with the M/WBE participation goals established in the Contract, the Contractor may be required to pay to the Department liquidated damages and will be considered during future Vendor Responsibility Profile reviews should the bidder bid on future opportunities with the Department

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to M/WBEs had the Contractor achieved the contractual M/WBE goals; and (2) all sums actually paid to M/WBEs for work performed or materials supplied under the Contract.

A New York State certified Minority- and Women-Owned Businesses (M/WBE) may request that their firm's contact information be included on a list of M/WBE firms interested in serving as a subcontractor for this procurement. The listing will be publicly posted on the Department's website for reference by the bidding community. A firm requesting inclusion on this list should send contact information and a copy of its NYS M/WBE certification to Michael.furness@health.ny.gov before the Deadline for Questions as specified in Section 1. (Calendar of Events). Nothing prohibits an M/WBE Vendor from proposing as a prime Contractor.

Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.)

4.8. Equal Employment Opportunity ("EEO") Reporting

By submission of a bid in response to this solicitation, the Bidder agrees with all of the terms and conditions of Attachment 8, Appendix A, including Clause 12 - Equal Employment Opportunities for Minorities and Women. Additionally, the successful bidder will be required to certify they have an acceptable Equal Employment Opportunity ("EEO") policy statement in accordance with Section III of Appendix M in Attachment 8.

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

The Contractor is required to ensure that it and any subcontractors awarded a subcontract over $25,000 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work"), except where the Work is for the beneficial use of the Contractor, undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

To ensure compliance with this Section, the Bidder should submit, with the bid or proposal, an Equal Employment Opportunity Staffing Plan (Attachment 5, Form #4) identifying the anticipated work force to be utilized on the Contract. Additionally, the Bidder should submit a Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement (Attachment 5, Form # 5), to the Department with their bid.

5. ADMINISTRATIVE INFORMATION

The following administrative requirements, terms and information will apply to this IFB. Failure to comply fully with any of these requirements or terms, or this information, may result in disqualification of a Bidder's Bid.

5.1. Restricted Period

"Restricted Period" means the period of time (a) commencing with the earliest written notice, advertisement, or solicitation of this Invitation for Bids, soliciting a response from Bidders and intending to result in a procurement contract with the Department and (b) ending with the final Contract award and approval by the Office of the State Comptroller.

Pursuant to State Finance Law Sections 139-j and 139-k, the Department has identified a "Designated Contact" and a "Permissible Subject Matter Contact" on the Face Page of this IFB to whom all communications with regard to this procurement during the Restricted Period must be made.

During the Restricted Period of this IFB, any oral, written, or electronic communication between a potential Bidder and the Department, except communications between a potential Bidder and the Designated Contact or the Permissible Subject Matter Contact specified on the Cover Page of this IFB, under circumstances where a reasonable person would infer that the communication was intended to influence this procurement, is prohibited by law. The violation of the requirements described in this Section may be grounds for a determination that a Bidder is non-responsible and therefore ineligible for a contract award pursuant to this IFB. Two violations within four years of the rules against impermissible contacts during a "Restricted Period" may result in the violator being debarred from participating in all procurements by New York State agencies and authorities for a period of four years.

5.2. Questions

Potential Bidders may submit written questions and requests for clarification pertaining to this IFB between the issuance of this IFB and the deadline for the submission of written questions specified in Section 1 (Calendar of Events). All questions and requests for clarification of this IFB should cite the relevant IFB, including the IFB number and title C043615 Snow Plowing and Snow/Ice Removal at NYS Veterans Home at Batavia, the section and paragraph number of this IFB or of the Attachment to this IFB to which the question relates, where applicable, and must be submitted via email to Thomas.tripi@nysvets.org no later than the Deadline for Submission of Written Questions specified in Section 1. (Calendar of Events). Questions received after the deadline **may not** be answered.

If a potential Bidder discovers any ambiguity, conflict, discrepancy, omission, or other apparent error in this IFB, the Bidder shall immediately notify the Department of such error in writing at Thomas.tripi@nysvets.org and request that the Department clarify or modify the Terms of this IFB. If, prior to the deadline for the Submission of Bids, a Bidder fails to notify the Department of a known

error or an error that reasonably should have been known, the Bidder shall assume the risk of bidding notwithstanding such apparent ambiguity, conflict, discrepancy, omission or other error. If awarded the Contract pursuant to the terms of this IFB, the Bidder shall not be entitled to an amendment to the terms of the Contract to correct or clarify any such ambiguity, conflict, discrepancy, omission or other error nor to any additional compensation by reason of the error or its correction.

5.3. Right to Modify IFB

The Department reserves the right to modify any part of this IFB, including, but not limited to, the date and time by which Bids must be submitted and received by the Department, at any time prior to the Deadline for Submission of Bids specified in Section 1. (Calendar of Events). Modifications to this IFB shall be made by the issuance of amendments and/or addenda, which will be posted to the Department's website.

5.4. The Department's Reserved Rights

The Department reserves the right to:

1. Reject any or all bids received in response to the IFB.
2. Withdraw the IFB at any time, at the Department's sole discretion.
3. Make an award under the IFB in whole or in part.
4. Disqualify any Bidder whose conduct and/or Bid fails to conform to the requirements of the IFB.
5. Seek clarifications and revisions of Bids.
6. Use Bid information obtained through site visits, management interviews and the State's investigation of a Bidder's qualifications, experience, ability or financial standing, and any material or information submitted by the Bidder in response to the Department's or any other State agency's request for clarifying information in the course of evaluation and/or selection under the IFB.
7. Prior to the bid opening, amend the IFB specifications to correct errors or oversights, or to supply additional information, as it becomes available.
8. Prior to the bid opening, direct Bidders to submit bid modifications addressing subsequent IFB amendments.
9. Change any of the scheduled dates set forth in Section 1. (Calendar of Events).
10. Eliminate any mandatory, non-material specifications that cannot be complied with by all of the prospective Bidders.
11. Waive any requirements that are not material.
12. Negotiate with the successful Bidder within the terms of the IFB, including the attachments and exhibits, if any, to this IFB, and any amendments or addenda to the IFB, and the Questions and Answers, if any, posted by the Department in accordance with Section 5.2 (Questions), in the best interests of the State.
13. Conduct contract negotiations with the next responsible Bidder, should the Department be unsuccessful in negotiating with the selected Bidder.
14. Utilize any and all ideas submitted in the bids received.
15. Every offer made by a Bidder pursuant to the terms of the Bid it submits shall be firm and not revocable for a period of three hundred and sixty-five days (365) from the bid opening to the extent not inconsistent with Section 2-205 of the uniform commercial code. Subsequent to such three hundred and sixty- five days (365), any offer is subject to withdrawal communicated in a writing signed by the Bidder.
16. Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of a Bidder's Bid and/or to determine a Bidder's compliance with the requirements of the solicitation.

5.5. Freedom of Information Law ("FOIL")

All Bids may be disclosed or used by the Department to the extent permitted by law. The Department may disclose a Bid to any person for the purpose of assisting in evaluating the Bid or for any other lawful purpose. All Bids will become State agency records, which will be available to the public in accordance with the New York State Freedom of Information Law. **Any portion of the Bid that a Bidder believes constitutes proprietary information entitled to confidential handling, as an exception to the Freedom of Information Law, must be clearly and specifically designated in the Bid as specified in the paragraph immediately following this paragraph.** If the Department agrees with the proprietary claim, the designated portion of the Bidder's Bid will be withheld from public disclosure. Blanket assertions of proprietary material will not be accepted, and failure to specifically designate proprietary material may be deemed a waiver of any right to confidential handling of such material.

5.6. Debriefing

Pursuant to Section 163(9)(c) of the State Finance Law, once an award has been made, any unsuccessful bidder may request a debriefing regarding the reasons that the proposal or bid submitted by the Bidder was not selected for award. The debriefing will be limited solely to the Bidder's own Bid and will not include any discussion of other bids. Requests for a debriefing must be made within fifteen (15) calendar days of release of the written or electronic notice by the Department that the Bid submitted by the Bidder was not selected for award. Requests should be submitted in writing to a designated contact identified in the award/non-award letter.

5.7. Protest Procedures

In the event an unsuccessful Bidder wishes to protest the award resulting from this IFB, the protesting Bidder must follow the protest procedures established by the Office of the State Comptroller (OSC). These procedures can be found in Chapter XI Section 17 of the OSC's Guide to Financial Operations, which is available on-line at: http://www.osc.state.ny.us/agencies/guide/MyWebHelp/

5.8. Piggybacking

New York State Finance Law Section 163(10)(e) (*see,* also, https://ogs.ny.gov/procurement/piggybacking-using-other-existing-contracts-0) allows the Commissioner of the NYS Office of General Services (OGS) to consent to the use of a Contract entered into pursuant to this IFB by other New York State Agencies, and other authorized purchasers, subject to conditions and the consent of the successful Bidder/Contractor.

6. BID FORMAT AND CONTENT

Bidders responding to this IFB must satisfy all requirements stated in this IFB. A Bidder must submit a complete Bid package. A Bid that is incomplete in any material respect must be rejected.

To expedite the review by the Department of the Bids submitted in response to this IFB, Bidders are requested to submit their Bids as summarized in Attachment A, Bid Package Checklist. This separation of information will facilitate the review of the material requested. No information beyond that specifically requested is required, and Bidders are requested to keep their Bid submissions to the shortest length consistent with making a complete presentation of qualifications and a complete and concise response to each component of the IFB.

The Department will not be responsible for expenses incurred in preparing and submitting the Bid Packages. Such costs should not be included in the Bid.

6.1. Mandatory Bid Requirements

The purpose of the Mandatory Bid Requirements is to demonstrate the qualifications, competence, and capacity of the Bidder to provide the commodity or services sought to be procured by the Department pursuant to this IFB. The following outlines the required information to be provided by each **responsive** Bidder. The information requested must be provided in the prescribed format. Responses that do not follow the prescribed format will be eliminated from consideration. All responses included in a Bid submitted pursuant to this IFB by a Bidder are subject to verification for accuracy.

6.1.1. Mandatory Site Visit

Bidders must notify their into to and attend the Mandatory Site Visit and must attend and sign in at each location, this sign in log will be used to verify responsiveness to this requirement. (Section 3.1).

6.1.2. Bidder's Minimum Qualifications to Bid

A responsive Bidder must be able to meet all the requirements stated in Section 3.2 of this IFB. The Bidder must submit documentation that provides sufficient evidence of meeting the minimum qualifications to bid. This documentation may be in any format needed to demonstrate how they meet those minimum qualifications.

- A minimum of three (3) years verifiable commercial experience of with Snow Plowing, Salting and Snow/Ice Removal Services within the last 10 years, and

6.1.3 Bid Form- Attachment B

A responsive Bidder must submit a completed and signed Attachment B **– Bid Form.** The Bid Form must comply with the format and content requirements as detailed in this IFB and in Attachment B. Failure to comply with the format and content requirements will result in disqualification.

The prices bid must cover the cost of furnishing all of the said products or services specified in this IFB, including, but not limited to, materials, equipment, profit and labor to the satisfaction of the Department and the performance of all work set forth in the specifications for this procurement set forth in this IFB and in the Contract to be awarded pursuant to this IFB to the successful Bidder.

Bidders must provide a price for all products in sizes and quantities exactly as listed in **Bid Form** - Attachment B. Bids which do not include a price for all products may be disqualified. Bids which add alternative products, quantities or sizes will be disqualified.

6.1.4 Bidder's Certified Statements

Complete, sign and submit Attachment 7, "Bidder's Certified Statements", which includes information regarding the Bidder. Attachment 7 must be signed by an individual authorized to bind the Bidder contractually. Please indicate the title or position that the signer holds with the Bidder.

Note: THE DEPARTMENT WILL REJECT AND FIND UNRESPONSIVE ANY BID THAT CONTAINS AN INCOMPLETE, UNSIGNED OR IS MISSING Attachment 7.

6.2. Other Bid Documents

6.2.1. Bidder's Disclosure of Prior Non-Responsibility Determinations

Submit a completed and signed Attachment 1, "Bidder's Disclosure of Prior Non-Responsibility Determinations".

6.2.2. Vendor Responsibility Questionnaire

Complete, certify, and file a New York State Vendor Responsibility Questionnaire. The Department recommends that Bidders file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System Instructions at http://www.osc.state.ny.us/vendrep/info_vrsystem.htm or go directly to the VendRep System online at www.osc.state.ny.us/vendrep.

Bidders must provide their New York State Vendor Identification Number (Vendor ID) when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the

Office of the State Comptroller (OSC)'s Help Desk at 866-370-4672 or 518-408-4672 or by email at ciohelpdesk@osc.state.ny.us.

Bidders opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website, www.osc.state.ny.us/vendrep, or may contact the OSC's Help Desk for a copy of the paper form. Bidders should complete and submit the Vendor Responsibility Attestation, Attachment 3.

6.2.3. Vendor Assurance of No Conflict of Interest or Detrimental Effect

Submit Attachment 4, Vendor's Assurance of No Conflict of Interest or Detrimental Effect, which includes information regarding the Bidder, members, shareholders, parents, affiliates and subcontractors. Attachment 4 must be signed by an individual authorized to bind the Bidder contractually.

6.2.4. EO 177 Prohibiting Contracts with Entities that Support Discrimination

Submit Attachment 11, certifying that Bidder does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the New York State Human Rights Law.

6.2.5. Executive Order 16 Prohibiting Contracting with Businesses Conducting Business in Russia

Submit Attachment 12, certifying the status of the Bidder's business operations in Russia, if any, as mandated by Executive Order 16.

6.2.6. M/WBE Forms

Submit completed Form #1 and/or Form #2, Form #4 and Form #5 as directed in Attachment 5, "New York State DOH M/WBE IFB Required Forms".

6.2.7. Encouraging Use of New York Businesses in Contract Performance

Submit Attachment 6 "Encouraging Use of New York State Businesses in Contract Performance" to indicate which New York State Businesses, if any, the Bidder will use in the performance of the Contract to be awarded to the successful Bidder.

6.2.8. State Finance Law Consultant Disclosure Provisions

In accordance with New York State Finance Law Section 163(4)(g), State agencies must require all Contractors, including subcontractors, that provide consulting services for State purposes pursuant to a contract to submit an annual employment report for each such contract.

The successful bidder for procurements involving consultant services must complete a "State Consultant Services Form A, Contractor's Planned Employment from Contract Start Date through End of Contract Term" in order to be eligible for a contract.

The successful bidder must also agree to complete a "State Consultant Services Form B, Contractor's Annual Employment Report" for each state fiscal year included in the resulting contract. This report must be submitted annually to the Department of Health, the Office of the State Comptroller, and Department of Civil Service.

Submit State Consultant Services Form A: Contractor's Planned Employment and Form B: Contractor's Annual Employment Report, available at:
http://www.osc.state.ny.us/agencies/forms/ac3271s.doc and
http://www.osc.state.ny.us/agencies/forms/ac3272s.doc.

6.2.9. Sales and Compensating Use Tax Certification (Tax Law, § 5-a)

Section 5-a of the Tax Law, as amended, effective April 26, 2006, requires certain Contractors awarded state contracts for commodities, services and technology valued at more than $100,000 to certify to the Department of Tax and Finance (DTF) that they are registered to collect New York State and local sales and compensating use taxes. The law applies to contracts where the total amount of such contractors' sales delivered into New York State are in excess of $300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made, and with respect to any affiliates and subcontractors whose sales delivered into New York State exceeded $300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made.

This law imposes upon certain contractors the obligation to certify whether or not the contractor, its affiliates, and its subcontractors are required to register to collect state sales and compensating use tax and contractors must certify to DTF that each affiliate and subcontractor exceeding such sales threshold is registered with DTF to collect New York State and local sales and compensating use taxes. The law prohibits the State Comptroller, or other approving agencies, from approving a contract awarded to an offeror meeting the registration requirements but who is not so registered in accordance with the law.

The successful Bidder must file a properly completed Form ST-220-CA with the Department of Health and Form ST-220-TD with the DTF. These requirements must be met before a contract may take effect. Further information can be found at the New York State Department of Taxation and Finance's website, available through this link:
http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf.

Submit these Forms, available through these links:

- ST-220 CA: http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf
- ST-220 TD: http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf

6.2.10. Freedom of Information Law – Bid Redactions

A Bidder must clearly and specifically identify any portion of their Bid that the Bidder believes constitutes proprietary information entitled to confidential handling as an exception to the Freedom of Information Law.

6.2.11. References

Provide references using Attachment 9, (References) for three (3) institutions receiving similar services as those being requested in this IFB. The bidder should provide firm names, addresses, contact names, telephone numbers, and email addresses.

6.2.12. Bid Specification Response/ Narrative (This section is not always needed or required. Discuss your specific procurement need with the BOC)

The technical Bid Specification Response should provide satisfactory evidence of the Bidder's ability to meet, and expressly respond to, each requirement and information requested in this IFB

in Section 4. Detailed Specifications. Bidder should respond to each element and label each section by its corresponding letter/number in Section 4.

6.2.13. Gender-Based Violence and the Workplace Certification

New York State Finance Law §139-M requires bidders on competitive state procurements to certify that they have a written policy addressing gender-based violence and the workplace and that such policy meets the minimum requirements outlined on Attachment 14. Bidders should review, sign, date and include as part of their submission Attachment 14.

7. BID SUBMISSION

The proposal must be received by the Department, no later than the Deadline for Submission of Proposals specified in Section 1. (Calendar of Events). Late bids will not be considered.

A proposal consists of two (2) distinct parts: (1) the Mandatory Bid Requirements and (2) Other Bid Documents. The table below outlines the requested format and volume for submission of each part. Proposals should be submitted in all formats as prescribed below.

The proposal must be received electronically by the Department's email, **michael.furness@nysvets.org** via two (2) separate searchable password protected PDF files. The Subject Line C043615 Snow Plowing and Snow/Ice Removal at NYS Veterans Home at Batavia (Mandatory Bid Requirements) or (Other Bid Documents). The body of the email submitted must include the password and indicate the number of total pages intended, and where indicated each subset of pages listed.

All electronic proposal submissions should be clear and include page numbers on the bottom of each page. NOTE: Bidders should request a receipt containing the time and date received. Submission of proposals in a manner other than as described in these instructions (e.g., fax) will not be accepted.

In the event an electronic submission cannot be read by the Department, the Department reserves the right to request a hard copy and/or electronic resubmission of any unreadable files. The Bidder shall have two (2) business days to respond to such requests and must certify the resubmission is identical to the original submission. Hardcopy will prevail.

	Electronic Submission
Mandatory Bid Documents	Email Subject Line: <Bidder Name>, IFB #XXXXX IFB Title "Mandatory Bid Documents" email attachment containing a standard searchable password protected PDF file with copy/read permissions only. The body of the email must include the password to open the attached PDF document and indicate the number of total pages intended.
Other Bid Documents	Email Subject Line: <Bidder Name>, IFB #XXXXX IFB Title "Other Bid Documents" email attachment containing a standard searchable password protected PDF file with copy/read permissions only.

The body of the email must include the password to open the attached PDF document and indicate the number of total pages intended.

Email PDF Submission Instructions:

1. All electronic bid submissions should be in PDF Optical Character Recognition (OCR) searchable format.
2. A font size of eleven (11) points or larger should be used. All submitted documents should contain appropriate header and footer information.
3. Where signatures are required, the proposals should have a handwritten signature (wet ink) and be signed in blue ink. A scan of the handwritten (wet ink) signature can be used for electronic submission in the PDF. The Department reserves the right to request hard copy originals of all signature pages at any time.
4. The Department discourages overly lengthy Bids. Therefore, marketing brochures, user manuals or other materials beyond that sufficient to present a complete Bid, are not desired and will not be reviewed or evaluated. Elaborate artwork or expensive paper is not necessary or desired. In order for the Department to evaluate bids fairly and completely, all Bids should follow the format described in this IFB and provide all requested information and no extraneous or additional information or material.
5. Audio and/or videotapes are not allowed. Any submitted audio or videotapes will be ignored by the evaluation teams.

The complete bid must be received by the Department, no later than the Deadline for Submission of Bids specified in Section 1., (Calendar of Events). Late bids will not be considered.

7.1. No Bid Form

A prospective Bidder choosing not to bid is requested to complete and submit the No-Bid form Attachment 2, by the Deadline for Submission of Bids specified in Section 1. (Calendar of Events). This information helps to enhance future mailing lists for the Department.

8. METHOD OF AWARD

At the discretion of the Department, all Bids may be rejected. The Department will award one contract as described in this IFB to the responsible and responsive Bidder who offers the lowest total bid price.

In the event of two or more Bidders offering identical bid prices, the tied bidders will be given the opportunity to provide their best and final bid price to the Department, and, after evaluation of these revised bids, the award will then be made to the lowest bidder.

8.1. General Information

Once a successful Bidder is selected, the Department will issue a Contract to the successful Bidder, substantially in the form of Attachment 8. In order to be considered responsible and responsive, the Bid must include all Invitation for Bid (IFB) required documents and meet the minimum qualifications as stated in the IFB.

Bidders may be requested by the Department to clarify the details of their Bid. Unless requested by the Department to do so, no Bidder will be allowed to alter its Bid after the Deadline for Submission of Proposals listed in Section 1. (Calendar of Events).

8.2. Submission Review

The Department will examine all Bids that are received in a proper and timely manner. The Bid containing the lowest total price offered will be further evaluated to determine if it meets all bid submission requirements, as described in Section 6. (Bid Format and Content) and Section 7. (Bid Submission) for award. That process will be followed until an award is made.

8.3. Reference Checks

The Bidder should submit references using Attachment 9 (References). At the discretion of the Department, references may be checked at any point during the process to verify a Bidder's qualifications to propose (Section 3.0).

8.4. Award Recommendation

The Evaluation Committee will submit to the Commissioner a recommendation for award to the responsible and responsive Bidder with the lowest total bid.

The Department will notify the awarded Bidder and Bidders not awarded. The awarded Bidder will enter into a written Agreement substantially in accordance with the terms of Attachment 8, DOH Agreement, to provide the required services or commodities as specified in this IFB. The resultant contract shall not be binding until fully executed and approved by the New York State Office of the Attorney General and the Office of the State Comptroller.

ATTACHMENTS

The following attachments are included in this IFB and are available via hyperlink or can be found at: https://www.health.ny.gov/funding/forms/.

1. Bidder's Disclosure of Prior Non-Responsibility Determinations
2. No-Bid Form
3. Vendor Responsibility Attestation
4. Vendor Assurance of No Conflict of Interest or Detrimental Effect
5. Guide to New York State DOH M/WBE IFB Required Forms
6. Encouraging Use of New York Businesses in Contract Performance
7. Bidder's Certified Statements
8. DOH Agreement (Standard Contract)
9. References
11. Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination
12. Executive Order 16 Prohibiting Contracting with Businesses Conducting Business in Russia
13. Attachment 14 - State Finance Law 139M Attestation Gender Based Violence

The following attachments are attached and included in this IFB:

A. Bid Package Checklist
B. Bid Form

ATTACHMENT A

BID PACKAGE CHECKLIST

Please reference Section 7.0 for the appropriate format and quantities for proposal submission.

IFB # C043615-Snow Plowing and Snow/Ice Removal at NYS Veterans Home at Batavia		
FOR THE MANDITORY BID REQUIREMENTS		
IFB §	**REQUIREMENTS**	**INCLUDED**
§ 6.1.1	Mandatory Site Visit	☐
§ 6.1.2	Bidders Minimum Qualifications to Propose	☐
§ 6.1.3	Bid Form (Attachment B)	☐
§ 6.1.4	Bidder's Certified Statements (Attachment 7)	☐
OTHER BID DOCUMENTS		
§ 6.2.1	Disclosure of Prior Non-Responsibility Determinations (Attachment 1)	☐
§ 6.2.2	Vendor Responsibility Attestation (Attachment 3)	☐
§ 6.2.3	Vendor Assurance of No Conflict of Interest or Detrimental Effect (Attachment 4)	☐
§ 6.2.4	EO 177 Prohibiting Contracts with Entities that Support Discrimination (Attachment 11)	☐
§ 6.2.5	EO 16 Prohibiting Contracts with Entities Conducting Business in Russia (Attachment 12)	☐
§ 6.2.6	Attachment 5 - M/WBE Participation Requirements:	☐
	Attachment 5 - Form 1	☐
	Attachment 5 - Form 2 (If Applicable)	☐
	Attachment 5 - Form 4	☐
	Attachment 5 - Form 5 (If Applicable)	☐
§ 6.2.7	Encouraging Use of New York Businesses (Attachment 6)	☐
§ 6.2.8	State Finance Law Consultant Disclosure	☐
§ 6.2.10	FOIL	☐
§ 6.2.11	Attachment 9 – References	☐
§ 6.2.13	Gender-Based Violence and the Workplace Certification (Attach 14)	☐

Attachment B
BID FORM

NEW YORK STATE DEPARTMENT OF HEALTH
Snow Plowing and Snow/Ice Removal at
NYS Veterans Home at Batavia
IFB # C043615

Company/Firm Name: _____

Bidder agrees to provide all necessary labor, supplies and equipment for work in accordance with this Invitation for Bid, for the Bid Prices below:

A. Per Visit Monthly Base Bid Price

Bidders must include a single Per Visit Monthly Base Bid Price, no ranges, for each month listed below; this single Per Visit Monthly Base Bid Price is for years 1 through 5 of this contract. The
Per Visit Monthly Base Bid Price must include: Snow removal including but not limited to snow shoveling, snow blowing, snowplowing and salting. Snow and Ice removal as well as Salting (rock salt or approved equal material) Services. The Per Visit Monthly Base Bid Price must be inclusive of all overhead, wages, insurance and vehicular cost.

Note: Pricing is not based on snowfall amounts or number of visits for services in any month.

MONTHS FOR YEARS 1-5	**Per Visit MONTHLY BASE BID PRICE**
November	
December	
January	
February	
March	
April	

B. Price per Snow/ Ice Event Before November 1st and after April 30th.

Bidders must include a single Snow/ Ice Event Bid Price, no ranges; this single Snow / Ice Event Bid Price is for years 1 through 5 of this contract. This Snow/ Ice Event Bid Price must include: Snow removal including but not limited to snow shoveling, snow blowing, snowplowing and salting. Snow and Ice removal as well as Salting (rock salt or approved equal material) Services and all overhead, wages, insurance and vehicular cost.

Note: Pricing is not based on snowfall amounts or number of visits for services in any month.

Snow/Ice Event Before November 1st and After April 30th for Year 1 thru 5	**Snow/Ice Event Bid Price**
Price Per Snow/ Ice Event	

ATTACHMENT B- Continued

BID FORM

NEW YORK STATE DEPARTMENT OF HEALTH
Snow Plowing and Snow/Ice Removal at
NYS Veterans Home at Batavia
IFB # C043615

Company/Firm Name: _____

C. Annual Snow Removal Bid Price.

Bidders must include be a single Bid Price per Cubic Yard for years 1 through 5. Bid includes the removal of accumulated snow from the premises up to two (2) times per year during the months of November through April. Each instance of snow removal/relocation is expected to remove up to 25 cubic yards of snow from the premises by the Cubic Yard estimated 50 cubic yards annually.

Annual Snow Removal	**Bid Price per Cubic Yard for Year 1 thru 5**
Price Per Cubic Yard	

By signing this Cost Proposal Form, bidder agrees that the prices above are binding for 365 days from the proposal due date. Bidder's Authorized

Contact Name: _____ Title: _____

Telephone #: _____ Email address: _____

Signature: _____ Date: _____

ATTACHMENT C
Annotated Map of Batavia Veterans Home

Map: Batavia Veterans Home
220 Richmond Ave
Batavia, NY 14020

Red indicates parking areas and roads requiring snow/ice removal and treatment.
YELLOW indicates pedestrian walkways requiring snow/ice removal and treatment.

