



**TOWN OF PEMBROKE
DEPARTMENT OF PUBLIC WORKS
HIGHWAY DIVISION**

100 CENTER STREET
PEMBROKE, MASSACHUSETTS 02359
(781)709-1426 (781)293-6000
FAX (781) 293-2964

September 13, 2023

Attached are the requirements for you to submit an application to the Town of Pembroke, Department of Public Works. This package includes the following:

1. Application Procedure
2. Regulations for Snow Plowing
3. Established rates
4. Application for Snow Plowing
5. Certificate of Non-Collusion
6. Workmen's Compensation Insurance Exemption Form or Proof of Policy
7. W-9 Request for Taxpayer Identification & Certification
8. Tax Compliance Certification
9. Agreement with Required Signature

If you would like to be considered by the Town of Pembroke for its plowing program, please return the application with the Certificate of Non-Collusion, the workmen's compensation insurance exemption form, a W-9 form, tax compliance certification, a copy of valid driver's license for each driver, a copy of current vehicle registration, a Certificate of Insurance, and the signed copy of the snow plowing agreement by November 16, 2023

The Town of Pembroke is offering an early incentive of \$1.00 per hour per vehicle for the completion of the entire required documentation package if received by October 23, 2023 @ 4:00 p.m. at the Town Hall DPW Office.

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SNOW PLOWING APPLICATION PROCEDURE

The Department of Public Works of the Town of Pembroke requests written applications from contractors and/or individuals that wish to be considered for hire in our snow and ice control program.

The Public Works Department will be engaging the services of several vehicles for snow removal in several different weight categories. Separate contracts will be awarded in the various weight classifications. Consideration will first be given to the contractor/individual who has successfully provided snow and ice removal services to the Town in the past, and whose primary place of residence or business is in the Town of Pembroke.

All base rates are total hourly rates including vehicle, operator and accessories. The Town of Pembroke has established hourly rates for each rate classification as well as for permitted accessories.

The snow and ice season shall commence on November 1, 2023 and expire on April 30, 2024. All successful contractors/individuals are expected to have their equipment ready at the beginning of each season.

For the purposes of submitting an application you should be aware that it is impossible to predict how often and for how long equipment will be used in any given winter season.

Each application submitted shall include:

1. A copy of valid Massachusetts driver's license for each driver.
2. A copy of vehicle registration.
3. A filled in and signed W-9 form. (Page # 10)
4. A copy of Certificate of Insurance listing "Town of Pembroke" as the Certificate Holder
5. A signed copy of certificate of non-collusion. (Page # 8)
6. A signed workmen's compensation insurance exemption form or a certificate of workmen's compensation insurance. (Page # 9)
7. A signed copy of the snow plowing agreement. (Page # 12)
8. A signed copy of Tax Compliance Certification. (Page # 11)
9. A signed copy of the Snow Plowing Application. (Page # 7)

Contractors and/or individuals may submit applications for more than one vehicle. **A separate application packet must be used for each vehicle.**



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REGULATIONS FOR SNOW PLOWING

1.0 NOTIFICATION

Notification will be made by Department of Public Works personnel. Upon notification all vehicles are to report immediately to the highway garage on Mattakeesett St to punch in. Each contractor/individual has the obligation to notify the Department of Public Works of Telephone number changes as to where they can be reached for call-in.

2.0 SIGN-IN

Plowers must punch in on timecards at the Highway Garage. Plowing time will start at the time of call. A maximum of one-half hour will be allowed from the time of call to the time of reporting to the Highway Garage. If the plower has not arrived within a half hour of the call, time will start when the plower punches in at the garage. All plowers must have a valid Massachusetts driver's license in their possession when reporting to plow. Licenses will be spot checked by supervisors. Those without a valid license in their possession will not be allowed to plow.

3.0 ALCOHOL AND CONTROLLED SUBSTANCES

The use of alcohol and/or controlled substances by contractor/operators during snow plowing operations is strictly forbidden. Any contractor/operator suspected of such use by Town supervisors will be relieved of duty immediately and may result in termination of contract with the Town.

4.0 CONTRACTOR CONDUCT

Courtesy will be the rule of the road at all times. Abusive language to the public will not be tolerated. If there is a controversy call the DPW Supervisor.

5.0 SNOW PLOWING

All vehicles will report with full tanks of gas and have chains available when weather requires. Equipment will arrive ready for operation and no compensation will be provided for time involved in the attachment or detachment of plowing equipment.

Each vehicle will be provided with a street listing of the designated route assigned. Each driver must acquaint him/herself with the route and check for new streets and/or deleted streets from the prior year's route.

All vehicles shall plow only the route assigned to them. If any vehicle is found outside the limits of its assigned route without justifiable reason the contractor/individual may be terminated.

Contract plowers while actively on the clock plowing for the Town, cannot be hired or requested to clear private driveways or walk; in any emergency situation the DPW Supervisor has the authority to use their discretion regarding this matter.

The vehicle, after sign in, will go immediately to the assigned route and commence plowing in the following manner:

- 5.1 Open every street on the route with at least one pass in each direction.
- 5.2 After every street on the route is open, widening out to edge of pavement or curb shall be done.
- 5.3 At intersections, where possible, plowing should be to the right to minimize the snow remaining in the intersection.
- 5.4 Intersections will be cleaned of snow only after each street has been widened to its maximum width.
- 5.5 When the contractor/individual feels that the route has been properly cleared of snow, he/she will meet with his/her route supervisor to make sure the route supervisor is satisfied with the route.
- 5.6 All contractor/individual plowers will be expected to remain on their routes for the duration of the plowing segment.

6.0 SIGN OUT

Plowers must return to the Highway Garage after their route has been satisfactorily cleaned up. If the contractor/individual is not needed on another route, he/she will punch out.

7.0 DOWN TIME REPAIRS

Each contractor/individual must make provisions for emergency repairs to the vehicle as necessary. If the vehicle is down for repairs, time will be deducted for the amount of time lost if it is for more than one hour.

If a vehicle must leave its route for repairs, the Highway Garage shall be notified as soon as possible. Routes have been assigned two vehicles and each operator must check with the other before leaving the route.

8.0 FUEL

Refueling of vehicles is the responsibility of the owner. Under **extreme emergency conditions** the Town will, if possible, provide a source of fuel. If it is Town fuel, cost will be deducted from the bill for the storm.

9.0 BALLAST

Ballast provided by the Town must be returned to the Town or the cost (based upon our estimate) will be deducted from the bill for the storm.

10.0 ROUTE SUPERVISORS

Route supervisors are assigned to designated areas of Town. They are to ensure streets are cleared in a satisfactory manner. Route supervisors are to assist the driver if problems arise, keep track of vehicles in their area and investigate citizen complaints. Route supervisors can reassign any vehicle due to needs in other areas. This reassignment will come from the DPW Director, Highway Foreman or his designee.

11.0 REGISTRATION AND INSURANCE

The vehicle owner is responsible for properly registering and insuring the vehicle. Safe lighting on all vehicles must conform to all state requirements. The Town of Pembroke reserves the right to inspect all vehicles for equipment requirements and to ensure all permitted accessories are as represented. Proof of workmen's compensation must be provided for any hired drivers.

12.0 PROPER OPERATION

Each contractor/individual is responsible to see that the vehicle is operated in accordance with all applicable laws, rules and regulations. Vehicle speed shall not exceed 20 miles per hour. All vehicles must have all required equipment and while plowing must have a yellow rotating warning light or strobe lights visible for 360 degrees; or an adequate warning light system built into the vehicle. Any driver involved in an accident which causes personal injury and/or damage to other vehicles and/or property shall immediately report the incident to the highway garage and the police.

13.0 PROPERTY DAMAGE

Each contractor/individual is responsible for the prevention or loss or damage to the property of the town and all adjacent property. Any damage, injury or loss resulting from the operation of the contractor/individual under the contract signed for snow plowing for the Town of Pembroke shall be the responsibility of the contractor/individual.

14.0 PAYMENTS

Each contractor/individual shall be paid at the contract rate for his/her vehicle(s). The contractor/individual shall be paid for the actual number of hours worked plus any time allowed in Section 2.0 of these regulations.

15.0 RATES - EFFECTIVE NOVEMBER 1, 2023

Class I : 4 Wheel Drive Pickup Truck, 6,600-10,999 GVW

8-foot minimum plow \$100.00 per hour

Class II: 4 Wheel Drive Pickup Truck, 11,000-15,999 GVW

9-foot minimum plow \$105.00 per hour

Class III: 6 Wheel Truck 11,000-15,999 GVW

10-foot minimum plow \$115.00 per hour

Class IV: 6 Wheel Truck 16,000-26,000 GVW

10-foot plow \$125.00 per hour

Class V: 6 Wheel Truck 26,001-40,000 GVW

10-foot minimum plow \$135.00 per hour

Class VI: 10 Wheel Truck

11-foot minimum plow \$150.00 per hour

Class VII: 4 Wheel Drive Backhoe/Loader or Road Grader

Backhoe	\$140.00 per hour
With Blade	\$145.00 per hour
Loader	\$175.00 per hour
With Blade	\$180.00 per hour

Class VIII: Skid steer (with bucket and 8 ft plow)

With bucket	\$135.00 per hour
With 8-ft minimum plow	\$140.00 per hour

Class IX: 6 Wheel Truck 26,000 GVW with Sander & Flow Control Combo

10-foot plow \$160.00 per hour

Class X: 10 Wheel Truck 26,000 GVW with Sander & Flow Control Combo

10-foot plow \$170.00 per hour

Class XI: Grader \$200.00 per hour

**TOWN OF PEMBROKE
DEPARTMENT OF PUBLIC WORKS
APPLICATION FOR SNOW PLOWING**

Please Print or Type

Name: _____ Address: _____

City: _____ State: _____ Zip: _____

Social Security # _____ or Fed ID # _____

Telephone Day: _____ Telephone Night: _____

Cell Phone # _____ Pager # _____

VEHICLE

Make: _____ Model: _____ Year: _____

GVW from Door of Truck: _____

Color: _____ Blade Width: _____ Blade Height: _____

Registration # _____ State _____ Expiration Date: _____

Attached to this application must be

- A copy of current vehicle registration
- Signed original contract
- A copy of driver's license for each driver
- A copy of Certificate of Insurance listing "Town of Pembroke" as a Certificate Holder
- A signed copy of Certificate of Non-Collusion
- A signed copy of Workmen's Compensation exemption or an Insurance Certificate for Workmen's Compensation Insurance
- A completed and signed W-9
- Signed Tax Compliance Certification

I herewith submit the following price based on the established rates:

Rate for Vehicle is \$ _____ per hour

Signature _____ Date _____

Owner operated: Yes _____ No _____



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CERTIFICATE OF NON-COLLUSION

Pursuant to M.G.L., Chapter 30, Section 39M:

The undersigned certifies under penalties or perjury that this bid is all respects bona fide, fair and made 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.

Name & Title of person signing General Bid or Proposal

Name of Business

Date



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CERTIFICATE OF WORKMEN'S COMPENSATION INSURANCE EXEMPTION

The undersigned certifies under penalties of perjury that he/she is a self-employed Independent Contactor and is not required by law to carry Workmen's Compensation Insurance.

Signature of Independent Contractor

Date

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Name (as shown on your income tax return)

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification:

☐ Individual/sole proprietor ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶

☐ Other (see instructions) ▶

☐ Exempt payee

Address (number, street, and apt. or suite no.)

City, state, and ZIP code

List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note, if the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number

				-							
--	--	--	--	---	--	--	--	--	--	--	--

Employer identification number

				-							
--	--	--	--	---	--	--	--	--	--	--	--

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here

Signature of U.S. person ▶

Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note, if a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.



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TAX COMPLIANCE CERTIFICATION

I certify, under the penalties of perjury that the below mentioned firm or person, to my best knowledge and belief, has complied with all the laws of the Commonwealth relating to taxes.

Name (as used for business tax filing)

Business Address

Telephone Number

Fax Number

Email Address

Authorized agent of the Bidder (If a corporation, attach certificate of vote or apply corporate seal.)

Name

Title

Date

Social Security # or Fed ID #

Approval of a contract or other agreement will not be granted unless this certification form is signed by the applicant.

Your Social Security Number of Federal Identification will be furnished to the Massachusetts Department of Revenue (DOR) to determine whether you have met tax filing or tax payment obligations. The Town is required to furnish a list to the DOR at the end of its Calendar Year, showing the vendors to whom more than \$5,000 is paid during the twelve (12) months ending December 31. Providers who fail to correct their non-filing or delinquency will not have a contract or other agreement issued, renewed, or extended. This request is made under the authority of Massachusetts General Laws, Chapter 62C, Section 49a, Certification Clause.

**TOWN OF PEMBROKE - DEPARTMENT OF PUBLIC WORKS
SNOW PLOWING AGREEMENT FOR HIRED EQUIPMENT SERVICES FOR THE WINTER
SEASON NOVEMBER 1, 2023 THROUGH APRIL 30, 2024**

Contractor is herewith retained to supply equipment and personnel for snow removal services, and agrees to provide same upon the following terms and conditions:

1. CONTRACTOR acknowledges and warrants that he is a self-employed Independent Contractor and is solely responsible for providing equipment and personnel for snow removal purposed. Maintenance, insurance and operation of equipment as well as payment, supervision and insurance or personnel shall be at the owner's sole expense and responsibility. Contactor must provide certificates or insurance evidencing liability, personal injury, property damage and worker's compensation coverage (unless owner is the operator) to the Town indicating that coverage includes "Contract snow plowing for the Town of Pembroke".
2. All hired equipment must be in good operating condition and must meet all rules, regulations, registration requirements and inspection requirements of the Commonwealth of Massachusetts. All vehicles must be equipped with approved 360-degree amber warning rotating or strobe lights.
3. CONTRACTOR must provide a telephone number on a twenty-four hour basis and respond to calls for service promptly. Compensated time will commence at the time a Contractor is called provided equipment arrives at the highway garage ready for operation within a half of hour of the time of the call. If more than one half hour passes after the call, compensated time will commence only upon arrival of the equipment.
4. TIMECARD will be provided, and operators must record their arrival and release times in order to be compensated. Contractor must have a valid Massachusetts driver license in his/her possession while driving for the Town of Pembroke and have it available to show supervisor. Payments shall be in accordance with Section of XXXX of the Regulations for Snow Plowing.
5. RULLES AND REGULATIONS are attached hereto and are incorporated into this Agreement by reference. Said rules and regulations are to be observed by all Contractors and their personnel.
6. A copy of the APPLICATION FOR SNOW PLOWING is attached hereto and is incorporated into this Agreement by reference. Compensation to the Contractor will be according to the rate on this Application. Equipment for Contactors provides for plowing must be as stated in the APPLICATION FOR SNOW PLOWING.
7. Town of Pembroke, Department of Public Works reserves the right to terminate this Agreement at any time.
8. The Contractor agrees to accept the rate of \$_____ per hour as agreed as full and fair compensation.

Contractor's Name: _____ Date: _____

Address: _____

Contractor's Signature: _____ SS # or Tax ID #: _____

DPW Director or
Highway Foreman's Approval _____ Date: _____