

02.01.2022

ADOPTED

TOWN OF RIVERHEAD

Resolution 2022-101

AWARDS BID FOR PROPANE FUEL & EQUIPMENT MAINTENANCE 2022

Councilman Rothwell offered the following resolution,
which was seconded by Councilman Kern

WHEREAS, Town Board Resolution #2021-799 authorized the Town Clerk to publish and post a notice for sealed bids for **PROPANE FUEL AND EQUIPMENT MAINTENANCE 2022** and;

WHEREAS, 1 bid was received, opened and read aloud in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, NY 11901 on **January 6, 2022** at **11:00 AM**; and

WHEREAS, the bid was reviewed and a bid tabulation was prepared by the Purchasing Agent and presented to the Town Board for review;

NOW THEREFORE BE IT RESOLVED that the bid for **PROPANE FUEL AND EQUIPMENT MAINTENANCE 2022** be awarded to the vendor indicated below for prices on the attached pages;

**PECONIC PROPANE
3947 MIDDLE COUNTRY RD
PO BOX 607
CALVERTON, NY 11933
PECONICPROPANE@GMAIL.COM**

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the vendor listed above, and the Engineering and Purchasing Departments; and

BE IT FURTHER RESOLVED that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kenneth Rothwell, Councilman
SECONDER:	Robert Kern, Councilman
AYES:	Aguiar, Hubbard, Beyrodt Jr., Rothwell, Kern

State of New York
County of Suffolk } ss:
Town of Riverhead





This is to certify that I, the undersigned, Town Clerk of the Town of Riverhead, County of Suffolk, State of New York, have compared the forgoing copy of a Resolution with the original now on file in this office and which was duly adopted on **February 1, 2022** and that the same is a true and correct transcript of said Resolution and the of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Town of Riverhead, on **February 3, 2022**

Diane M. Wilhelm

, Town Clerk

FISCAL IMPACT STATEMENT OF PROPOSED RIVERHEAD TOWN BOARD LEGISLATION

A. Type of Legislation Resolution <u> x </u> Local Law		
B. Title of Proposed Legislation: Awards Bid for Propane Fuel & Equipment Maintenance 2022		
C. Purpose of Proposed Legislation:		
D. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> x </u> No		
E. If the answer to section D is "yes", select (a) or (b) below and initial or detail as applicable:		
(a) The fiscal impact can be absorbed by Town/department existing resources set forth in approved Town Annual Budget <u> TB </u> (example: routine and budgeted procurement of goods/services)*if selecting E(a), please initial then skip items F, G and complete H, I and J;		
or		
(b) The description/explanation of fiscal impact is set forth as follows:		
F. If the answer to E required description/explanation of fiscal impact (E(b)), please describe total Financial Cost of Funding over 5 Years		
G. Proposed Source of Funding Appropriation Account to be Charged: A01-1-1620-473-000-00000; ES5-8-8189-426-050-00000; EW1-8-8320-426-000-00000; DA1-5-5110-426-000-00000 Grant or other Revenue Source: Appropriation Transfer (list account(s) and amount):		
H. Typed Name & Title of Preparer: Teresa Baldinucci	I. Signature of Preparer <div style="text-align: center;">  <u>Teresa Baldinucci</u> Teresa Baldinucci </div>	J. Date 1/24/22
K. Accounting Staff Name & Title William Rothaar, Accounting Department	L. Signature of Accounting Staff <div style="text-align: center;">  William Rothaar </div>	M. Date 1/25/22



TOWN OF RIVERHEAD

Yvette Aguiar, Supervisor
 200 Howell Avenue
 Riverhead, New York 11901-2596
 631-727-3200

BID FOR: PROPANE FUEL AND EQUIPMENT MAINTENANCE 2022

BID #2022-001

Peconic Propane

BIDDERS NAME

3947 Middle Country Rd. P.O. Box 607

BIDDERS ADDRESS

Calverton, NY 11933

CITY, STATE, ZIP

(631) 369-4299

PHONE NUMBER

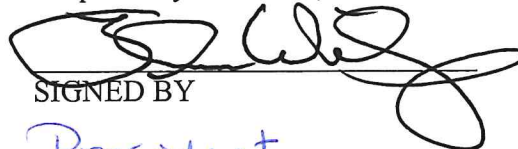
peconicpropane@gmail.com

EMAIL ADDRESS

In compliance with your advertisement for bids to be opened on **JANUARY 6, 2022** and subject to all conditions thereof, the undersigned hereby proposes to furnish the item(s) and/or service(s) itemized in this proposal in accordance with the Notice to Bidders, General Information Agreement and Specifications contained herein on the Bid Proposal Form attached.

Bidder certifies that the prices quoted herein do not include Federal Excise Tax or any Federal, New York State or City Sales Tax and are not higher than prices charged to any governmental or commercial consumer for like merchandise and/or service; and all prices include shipping and freight charges to any Municipal building or site within the Town of Riverhead.

Respectfully submitted,



SIGNED BY

President

TITLE

12/30/21

DATE

BIDDERS ARE INVITED TO ATTEND BID OPENING

Attachment: Peconic Propane (2022-101 : Awards Bid for Propane Fuel & Equipment Maintenance 2022)

VENDOR NAME Peconic Propane**TOWN OF RIVERHEAD****TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for **PROPANE FUEL AND EQUIPMENT MAINTENANCE 2022** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on January 6, 2022**, at which time all bids received shall be opened and read aloud.

Bid Specifications and/or Plans may be obtained by visiting the Town of Riverhead website at **www.townofriverheadny.gov on or after December 30, 2021**. Click on "Bid Requests" and follow the instructions to register.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

DIANE M. WILHELM, TOWN CLERK

Attachment: Peconic Propane (2022-101 : Awards Bid for Propane Fuel & Equipment Maintenance 2022)

VENDOR NAME

Peconic Propane**GENERAL SPECIFICATIONS****GENERAL**

Bidders shall be responsible to carefully examine the Specifications enclosed.

These specifications require the doing of all things necessary or proper for, or incidental to the furnishing and delivery of said equipment and associated components.

All things not expressly mentioned in these specifications, but involved in carrying out their intent are required by these Specifications; and the vendor shall perform the same as though they were specifically mentioned, described and delineated.

COMPLIANCE WITH RULES AND REGULATIONS

The unit and associated equipment furnished shall comply with all provisions which would be applicable, if the Town of Riverhead were a private corporation of Federal and State of New York Laws, Ordinances, Codes, Rules, Regulations, Orders, Permits and Licenses and with fire underwriters requirement, except that where the weight and dimensions requirements set forth herein exceed such provisions, these Specifications shall control.

DEVIATION

Minor deviations from the provisions of these Specifications will be considered to permit manufacturers to follow their standard manufacturing process.

Such deviations will be approved, however, only in the sole discretion of the Town of Riverhead and only if in its opinion they do not adversely affect the operation, maintenance, strength, efficiency, effectiveness, or life of the unit or any of its parts.

All proposed minor deviations, with full details, must be listed on a separate Detail Sheet, which must be attached to and made part of this bid.

The Town of Riverhead reserves the absolute right in its sole discretion to accept that bid, if any, which under all circumstances will best serve the public interest.

GUARANTEE

The vendor warrants and guarantees the equipment herein specified, including all associated equipment furnished, against any defects in design, workmanship and materials, and against failure to operate satisfactorily for a period of six months from the date of acceptance of the units, except defects or failure shown by the vendor. The vendor also warrants and guarantees that the equipment herein specified, if found to be defective or in need of repairs, will be picked up from and delivered back to the Town of Riverhead within a reasonable length of time.

PRICES

If a like or lower quantity of a standard item contained in this bid is sold by a vendor at a price less than the prices quoted herein, the price to the Town of Riverhead shall be reduced to that lower price.

VENDOR NAME

Peconic Propane**QUANTITY**

The Town of Riverhead is in no way obligated to purchase quantities neither shown nor limited to said quantities listed. The anticipated delivery amounts are based on the last few years which are approximately 2000 gallons.

OSHA STANDARDS

All equipment, materials and/or installations utilized in connection with this contract will meet all OSHA standards.

The OSHA Hazard Communication Standard (Subpart 2 of Part 1910 of Title 29 of the Code of Regulations amended under Section 1910/1200 Federal Register) requires chemical manufacturers, importers and distributors to obtain and develop Material Safety Data Sheets (MSDS's) for each hazardous chemical they produce, distribute or import. Bids may not be considered unless the MSDS accompanies each bid. Departments will not accept delivery from providers of chemicals unless EACH container is properly labeled in accordance with MFDA704 (when applicable).

MATERIAL SAFETY DATA SHEETS MUST BE SUBMITTED WITH BID FORMS.

RESERVATIONS

The mention in the specifications of any unit, component, or equipment by brand name and/or model is meant to convey to the potential bidder the type and quality of the product required and desired by the Town. Any unit, component, or equipment which is of equal type and quality may be considered as such and may be acceptable to the Town, upon agreement by the Town Board to that fact. The decision of the Town Board, however, in such a circumstance is final.

Furthermore, the Town Board of the Town of Riverhead reserves the right and responsibility to reject any or all bids if they believe such action to be in the best interest of the Town.

METHOD OF AWARD:

The contract, if awarded, will be to the lowest responsive/responsible bidder(s) in part or in whole who meet(s) all the terms of the specifications. The TOWN guarantees no minimum or maximum purchases or contracts as a result of award of this bid. The Town of Riverhead reserves the right to allow all municipal and not for profit organizations authorized under the General Municipal Laws of the State of New York, to purchase any goods and/or services awarded as a result of this bid in accordance with the latest amendments to NYS GML 100 through 104. However, it is understood that the extension of such contracts are at the discretion of the vendor and the vendor is only bound to any contract between the Town of Riverhead and the vendor. Additionally, the TOWN reserves the right to purchase any goods or services included as a part of this bid from any means legally available to it.

NOTE:

You must be permitted to gain access to Town-owned property where propane is to be distributed where the portable tanks, such as those used by the Highway Department, are to be filled.

VENDOR NAME Peconic Propane**NON-COLLUSIVE CERTIFICATE**

(MUST BE COMPLETED, SIGNED, NOTARIZED AND RETURNED WITH BID)

UNDER PENALTIES OF PERJURY:

Peconic Propane, Inc. (BIDDER), BEING DULY SWORN, DEPOSES
AND SAYS:

- A) This bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor;
- B) This bid or proposal has not knowingly been disclosed, prior to the opening of bids or proposals for this project, to any other bidder, competitor, or potential competitor;
- C) No attempt has been made or will be made to induce any other person, partnership, or corporation to submit or not to submit a bid or proposal;
- D) The person signing this bid or proposal certifies that he has been fully informed regarding the accuracy of the statements contained in this certification, and under penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as the person signing on its behalf; and
- E) That the attached hereto (if a corporate bidder) is a certified copy of a resolution authorizing the execution of this certificate by the signatory of this bid or proposal on behalf of the corporate bidder.

Corporation: Peconic Propane, Inc.
PRINT CORPORATION NAMEBy: [Signature]
SIGNATURE
President
TITLEAddress: 3947 Middle Country Rd (P.O. Box 607)
Calverton, NY 11933

Sworn to before me this

30th day of December, 2021Melissa A. Giguere
NOTARY PUBLIC

MELISSA A. GIGUERE
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01616206721
Qualified in Suffolk County
Commission Expires May 26, 2025

VENDOR NAME

Peconic Propane

**BID SPECIFICATIONS FOR PROPANE FUEL
PLEASE READ CAREFULLY**

1. **PRICES:** Prices will be "Cents per gallon" over or under the weekly Selkirk posted price as published by the BPN Weekly Newsletter effective each Monday (See attachment at the end of this document)

(PLEASE WRITE THIS PRICE IN WHOLE DOLLAR AMOUNTS)
(i.e., price at ten cents margin over posting)

The bidder who wins this bid must attach a copy of the price listing with all invoices submitted. Failure to submit the price listing will result in delayed payment.

2. **DELIVERY:** Delivery will be set up to be automatic at all locations. Should an emergency delivery be required, the bidder must guarantee emergency delivery within four (4) hours of notification. If delivery has not been received in that time frame, the Town of Riverhead reserves the right to terminate the contract.

The following are drop sites with the name of a contact person:

ANIMAL SHELTER

YOUNGS AVENUE
RIVERHEAD, NY

Jillian Paltz – 369-6189

RIVERHEAD WATER DISTRICT

- MAIN PLANT 1A & 3A – 1035 PULASKI STREET
- PLANT #5 – 5-2 – 162 MIDDLE ROAD, RIVERHEAD, NY
- PLANT #6 – 2000 OSBORNE AVENUE, RIVERHEAD, NY
- PLANT #8 – 95 PALANE NORTH, BAITING HOLLOW, NY
- PLANT #12-1 – 701 SCOTT AVENUE., CALVERTON, NY

Frank Mancini – 631-727-3205

SEWER DISTRICT

RIVER AVE.

RIVERHEAD, NY

Michael Reichel – 631-727-3069

HIGHWAY

SUB-STATION

EAST WIND RD.

WADING RIVER, NY

Mike Zaleski – 631-727-3200 Ext. 228

VENDOR NAME

Pecmic Propane

3. **CONTRACT PERIOD:** 1 YEAR FROM DATE OF AWARD. At the termination of this contract, the contract may be extended for an additional one year period, or any such lesser amount, as mutually agreed upon by and between the Town and the Vendor subject to identical terms and conditions of the vendor. The Town also reserves the right to cancel this contract at any time without notice.

**PLEASE FILL IN DOLLAR AMOUNTS ON THE PAGES IN THIS
DOCUMENT**

Attachment: Peconic Propane (2022-101 : Awards Bid for Propane Fuel & Equipment Maintenance 2022)

VENDOR NAME

Peconic Propane**BID PROPOSAL SHEET****PROPANE FUEL**

We agree to sell to the Town of Riverhead Propane Fuel under the terms and conditions set forth on the specification sheet and bid contract at the following delivered price:

Selkirk posted price PLUS/MINUS .42 CENTS PER GALLON.
(PLEASE WRITE PRICE IN WHOLE DOLLAR AMOUNTS
(i.e., Price at ten cents per gallon margin over posting)

Price at forty two cents per gallon margin over posting

I/WE FULLY UNDERSTAND THAT THE ACCEPTANCE OF THIS BID IS SUBJECT TO THE
 PROVISIONS OF SECTION 103A AND 103B OF THE GENERAL MUNICIPAL LAW.

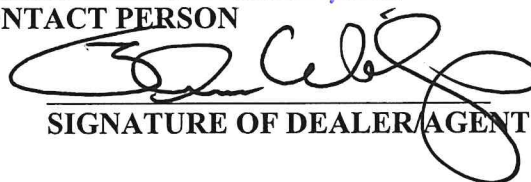
Peconic Propane
 NAME OF AGENT/DEALER

3947 Middle Country Rd.
 ADDRESS

Calverton, NY 11933
 CITY, STATE, ZIP CODE

Thomas Witkop
 CONTACT PERSON

12/30/21
 DATE


 SIGNATURE OF DEALER/AGENT

VENDOR NAME Peconic Propane**MAINTENANCE TO EQUIPMENT****LABOR:**Hourly rate for 1 man crew to perform maintenance work, as required:8 hours @ (\$ 89.00) Total: \$ 712.00

A. Weekdays after 8 hours and Saturdays

(Hourly rate \$ 89.00 x 1.5 % = (\$ 133.50)/hour

B. Sunday/holiday

(Hourly rate \$ 89.00 x 2 % = (\$ 178.00)/hourTOTAL (A + B): \$ 311.50**PARTS:**

Compensation for furnishing brand-name parts and components:

A. Up to \$100 Certified Cost plus 60 % = Sub-total \$ 160.00B. Up to \$500 Certified Cost plus 50 % = \$ 750.00C. Up to \$1000 Certified Cost plus 40 % = \$ 1400.00D. Up to \$5000 Certified Cost plus 30 % = \$ 6500.00E. Above \$5000 Certified Cost plus 30 % = \$ 6500.00TOTAL: \$ 15,310.00**TANK REPLACEMENT**

Complete install/purchase of new 100 gallon (420#) ASME propane tank.

ASME Tanks will be purchased by the Town of Riverhead **NOT** leased.\$ 685.001. Labor/equipment to install new tank to existing heater TOTAL: \$ 723.452. Labor/equipment to install 2 tanks at same location to existing heater
TOTAL: \$ 1408.45

**Note: A bill of sale must be provided with each install.

VENDOR NAME

Peconic Propane**IRAN DIVESTMENT ACT CERTIFICATION**

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act’s effective date, at which time it will be posted on the OGS website.

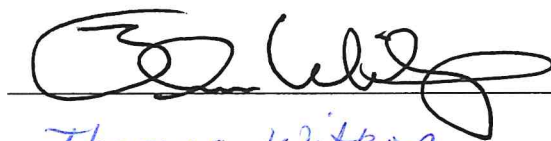
By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor is advised that once the list is posted on the OGS website, any Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should the TOWN OF RIVERHEAD receive information that a person is in violation of the above-referenced certification, the TOWN OF RIVERHEAD will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the TOWN OF RIVERHEAD shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The TOWN OF RIVERHEAD reserves the right to reject any bid or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Signature:



Print Name:

Thomas Witkop

Title:

President

Company Name:

Peconic Propane, Inc.

Date:

12/30/21

Attachment: Peconic Propane (2022-101 : Awards Bid for Propane Fuel & Equipment Maintenance 2022)

VENDOR NAME Peconic Propane**SEXUAL HARASSMENT STATEMENT**

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 the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of §201-G of the Labor Law.

Signature: Print Name: Thomas WitkopTitle: PresidentCompany Name: Peconic Propane, Inc.Date: 12/30/21