



Sean M. Walter, Supervisor  
200 Howell Avenue  
Riverhead, New York 11901-2596  
631-727-3200

---

BID #DF-2015

BID FOR: DIESEL FUEL 2015

\_\_\_\_\_  
BIDDERS NAME

\_\_\_\_\_  
BIDDERS ADDRESS

\_\_\_\_\_  
CITY, STATE, ZIP

\_\_\_\_\_  
DATE            (\_\_\_\_)\_\_\_\_\_  
PHONE NUMBER            (\_\_\_\_)\_\_\_\_\_  
FAX NUMBER

\_\_\_\_\_  
EMAIL ADDRESS

In compliance with your advertisement for bids to be opened on JULY 9, 2015 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

\_\_\_\_\_  
TITLE

**BIDDERS ARE INVITED TO ATTEND BID OPENING**

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed bids for the purchase of DIESEL FUEL for the use by the Town of Riverhead will be received by the Town Clerk at 200 Howell Avenue, Riverhead, New York, 11901 until 2:05 pm on JULY 9, 2015 at which time they will be publicly opened and read aloud.

Bid Packets including specifications may be examined and/or obtained on JUNE 11th, 2015 on the Town's website at [www.townofriverheadny.gov](http://www.townofriverheadny.gov), click on bid requests.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked bids for "DIESEL FUEL 2015". Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation 'EXCEPTIONS TO THE SPECIFICATIONS' and attached to the bid form.

The Town board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

## GENERAL SPECIFICATIONS

Bidders shall be responsible to carefully examine the Specifications enclosed.

Bidders shall furnish their price as called for on the Bid Proposal Sheet.

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 associated product 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, requirements set forth herein exceed such provisions, these Specifications shall control, only if applicable to this particular bid.

## DEVIATION

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.

## QUANTITY

The Town of Riverhead is in no way obligated to purchase quantities neither shown nor limited to said quantities listed.

## RESERVATIONS

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.

## CONTRACT PERIOD

The Contract Period shall be effective for one year from date of award. At the termination of this contract, the contract may be extended (not to exceed two extensions) for a total three (3) year contract at the sole discretion of the Town of Riverhead and with the consent of the vendor wherein the price will remain the same.

## **PIGGYBACKING CLAUSE**

### 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.

NON-COLLUSIVE CERTIFICATE  
(MUST BE COMPLETED, SIGNED, NOTARIZED AND RETURNED WITH BID)

UNDER PENALTIES OF PERJURY:

\_\_\_\_\_ (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 it's 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: \_\_\_\_\_  
(PRINT CORPORATION NAME)

By: \_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(TITLE)

Address: \_\_\_\_\_  
\_\_\_\_\_

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

BID SPECIFICATIONS FOR DIESEL FUEL

PLEASE READ CAREFULLY

1. PRODUCT TO BE PURCHASED: A sample of the fuel may be taken at any time for analyzing. Low-Sulfur winterized premium when available.
  
2. PRICES: Prices will be *rack price per Oil Price Daily (formerly Journal of Commerce Daily listings.)* Price at \_\_\_\_\_cents margin over posting. The bidder who wins this bid must attach a copy of the Tank Car Reseller price listing with all invoices submitted. Failure to submit the price listing will result in delayed payment.
  
3. APPROXIMATE ANNUAL REQUIREMENTS: 75,000 gallons
  
4. WILL CALL: Departments will call when fuel is needed for these sites
  - \* Henry Pfeiffer Community Center, 4062 Grumman Blvd., Calverton  
275 gallons (standby generator)
  
  - \*Police Department, 210 Howell Ave., Riverhead  
275 gallons (standby generator)  
500 gallon tank & 250 gallon tank (located side by side on south side of Police Station)
  
  - \*Senior/Human Resource Center, 60 Shadetree Lane, Aquebogue  
275 gallon (standby generator)
  
5. DROP SITES: (These Departments must be contacted prior to delivery as the driver would have to meet with the Town employee in order to obtain access to these plants.
  - Municipal Garage, Rt. 58, 10,000 gallon tank
  - Water Plant #2, Pulaski Street, 500 gallon tank
  - Water Plant #4, Osborne Ave., 1,000 gallon tank
  - Water Plant #5, Middle Road, 500 gallon tank;  
300 gallon standby generator
  - Water Plant #6, Osborne Ave., 500 gallon tank;
  - Water Plant #7, Fresh Pond Ave., 1,000 gallon tank;  
500 gallon spare tank
  - Water Plant #10, 160 Sound Shore Rd., 300 gallon  
standby generator
  - Water Plant #11, Calverton, 1,000 gallon tank
  - Water Plant #12, River Rd. Calverton, 675 standby generator

## SEWER SCAVENGER WASTE & CALVERTON SEWER DROP SITES

Main Treatment Plant, River Ave., Riverhead (Sewer Plant) - 1600 gallons  
Main treatment plant, River Ave., Riverhead (scavenger Waste Plant) 1000 gallons  
Ostrander Avenue Pump Station, Ostrander Ave., Riverhead-275 gallons  
Raynor Ave., Pump Station, Raynor Ave., Riverhead – 275 gallons  
DeFriest Pump Station, McDermott St., Riverhead – 275 gallons  
Riverside Drive Pump Station, Riverside Dr., Riverhead – 275 gallons  
W. Main Street Pump Station, West Main St., Riverhead – 550 gallons  
Main Plant, Burman Blvd., Calverton, NY – 275 gallons

6. DELIVERY: Delivery will be on an automatic delivery basis. 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.

BID PROPOSAL SHEET

DIESEL FUEL

We agree to sell the Town of Riverhead Ultra Low Sulfur Premium Diesel Fuel under all terms and conditions set forth on the specification sheet for the following delivered price:

HANDLING CHARGE PLUS OR MINUS THE AVERAGE TANK CAR RESELLER PRICE FOR (ULTRA LOW SULPHUR DIESEL) FOR THE DATE OF DELIVERY PLUS/MINUS \_\_\_\_\_ PER GALLON.

THIS BID AWARD SHALL BE IN EFFECT FOR ONE YEAR FROM DATE OF AWARD.  
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.

\_\_\_\_\_  
NAME OF AGENT/DEALER

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY, STATE, ZIP CODE

\_\_\_\_\_  
CONTACT PERSON

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF DEALER/AGENT

## 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: \_\_\_\_\_

Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Date: \_\_\_\_\_