

COUNTY OF ROCKLAND
Department of General Services
Purchasing Division

Contract Award Notification

Title: **Fuel, Diesel ULSD Off-Road**

Contract Period: July 29, 2023 through July 28, 2024 with 3 one-year options

Original Date of Issue: July 20, 2023

Date of Revision:

BID No: **RFB-RC-2023-051**

Catalog: **Facilities Maintenance**

PRC# **2023900504 (Article 9)**

Authorized Users: County of Rockland Departments, Non-Profit Agencies

Address Inquires To:

Name: Robert Poole
Title: Purchaser I
Phone: 845-364-3808
Fax: 845-364-3809
E-mail: pooler@co.rockland.ny.us

Description

This contract is to provide off road diesel fuel.

Contract #	Vendor Number	Contractor & Address	Telephone No.
Bid 23-051	0000005283	Panco Equipment Company 23 Grassy Point Road Stony Point, NY 10980 Contact: John Panebianco john@panco.com	845-429-9120 FAX: 845-429-0934

This is a contract for off-road diesel fuel to be used in generators. It is not to be used for vehicles. Prices are determined by the Newburgh Terminal Daily Average with the differential added per gallon for the amount delivered to each delivery location. Users are to call for the base price when placing orders. See attached sheet for the firm differential.

COUNTY OF ROCKLAND - DGS-PURCHASING
BLDG. A., 6TH FLOOR, 50 SANATORIUM RD, POMONA, NY 10970
TELEPHONE: 845-364-3820 / TELEFAX: 845-364-3809

TITLE: FUEL, DIESEL ULSD OFF-ROAD

BID NUMBER: RFB-RC-2023-051

PURCHASES BY NON-PROFIT AGENCIES

As per Rockland County Procurement Policy, Non-Profit Agencies approved to participate in New York State's Contract Extension Program are authorized to make purchases through the resulting contract(s).

1. The County of Rockland shall make all contract award information available to non-profit agencies through our website: www.rcpurchasing.com
2. Any Rockland County non-profit agency will issue purchase orders directly to vendors within the specified contract period referencing the County's contract and shall be liable for any payments due on such purchase orders; and shall accept sole responsibility for any payment due.
3. All purchases shall be subject to audit and inspection by the other non-profit agency for which the purchase was made.
4. All Bidders shall be on notice that as a condition of the award of a County contract, the successful bidder shall accept the award of a similar contract with any Rockland County non-profit agency authorized to use New York State's contracts, if called upon to do so. A listing of approved Rockland County non-profit agencies is available on the Purchasing Division's website at www.rcpurchasing.com. The County, however, will not be responsible for any debts incurred by the participants pursuant to this or any other agreement.
5. Necessary deviations from the County's specifications in the award of a participant contract, whether such deviations relate to quantities, or delivery points shall be resolved between the successful bidder and the political subdivisions or Rockland County non-profit agencies.

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SPECIFICATIONS

1. SCOPE

- 1.1. The County of Rockland is requesting prices to furnish and deliver red dyed Ultra Low Sulfur Diesel (ULSD) Fuel and Kerosene for Off Road generator use. Current requirements are for approximately 45 to 50 County delivery sites located within the County of Rockland, utilizing approximately 15,000 to 20,000 gallons annually. Exact locations and tank sizes will be supplied upon award.

2. GENERAL REQUIREMENTS

- 2.1. Prices quoted shall be net prices on delivered product-ULSD red dyed for off road use, kerosene and winter additive. There will be no extra charges for delivery or any fees or surcharges, unless mandated by law.
- 2.2. Contract period shall be for Twelve (12) months commencing on the date of award with the option to extend the agreement for up to three (3) one-year options at the same contract pricing (or lower), terms and conditions, as set forth in the original bid and resulting award, upon mutual consent, in writing.

3. METHOD OF BIDDING

- 3.1. Within this document the bidding structure requests delivered prices for different volume deliveries. Bidders will provide a constant price differential for each delivery range.
- 3.2. Bidders must quote a constant differential to be applied to the average daily rack price for ULS Diesel Dyed and Kerosene posted on the Newburgh New York Terminal, simple average of high and low, for Global Petroleum, Sunoco, Buckey and Mirabito, carry four places, where applicable, do not round off.
- 3.3. Use Friday, June 30, 2023, price. Your quoted differential will be added or subtracted from this figure.
- 3.4. Future increases and/or decreases of unit price bid during this contract will be governed by changes in the base price as described in §3.2 above on a weekly basis in the following manor.
- 3.5. Throughout the term of the contract, the County of Rockland Purchaser, or his designee at the County of Rockland, Department of Purchasing, shall be notified by e-mail or fax, of the weekly price as it appears on each and every Friday. Price will hold for one week (Monday through Sunday) until the following Friday change. If there is no Friday posting, the next day specified prices are published will be utilized. If no posting is available for Friday due to a holiday or any other reason, the closest previous day's posting will be utilized until the following week's normal Friday change.
- 3.6. In the event that the category chosen (Newburgh, NY ULSD Dyed and Kerosene) is not posted for a week or longer, the awarded supplier and County of Rockland may choose to agree to another category for the period of time the Newburgh, NY posting is not published.
- 3.7. The County reserves the right to calculate price changes on a daily basis if the market becomes so volatile that it is deemed in the best interest of both parties to do.
- 3.8. Federally tax-exempt fuel may be dyed red using solvent red dye 164. This bid is for ULSD fuel with red dye. This must be included in bidder's price.

4. DELIVERY REQUIREMENTS

Any alterations to this document made by the Offeror may be grounds for rejection of the proposal, cancellation of any subsequent award, or any other legal remedies available to the County of Rockland.

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- 4.1. Upon award, vendor must be able to set up accounts and begin servicing the County’s requirements within one week, orders will be placed thereafter as necessary.
- 4.2. County personnel will be required to call for deliveries.
- 4.3. Deliveries shall be made within 48 hours of request, during normal business hours, Monday through Friday, between 8 AM and 4 PM, excluding NYS and Federal holidays. In extenuating circumstances and only upon mutual consent, deliveries may be made outside these parameters.
- 4.4. The County reserves the right to add or delete delivery sites/ locations on an as-needed basis throughout the term of the contract. The County makes no assurances of quantities that will be ordered during the contract period.
- 4.5. Indicate delivery dispatch contact: _____
- 4.6. Phone Number: _____
- 4.7. E-mail address: _____
- 4.8. Dispatch contact name and phone number in the event of an emergency, or other hours outside the normal delivery requirements: _____

5. BIDDER REQUIREMENTS

- 5.1. Bidder must be a business where the primary function is to provide fuel.
- 5.2. Bidder will provide segregated storage and delivery transports for delivery of the product.
- 5.3. Bidder will provide adequate spare delivery equipment to ensure delivery of product.
- 5.4. Bidders’ delivery trucks will be equipped with meters to accurately measure quantities delivered. Metered deliveries must be accompanied by a delivery ticket showing brand or grade and number of gallons delivered.
- 5.5. Bidder will store a minimum of thirty days of inventory to ensure sufficient product availability, especially in the event of natural disasters, or other emergencies where fuel supplies become scarce.
- 5.6. Bidder will have a primary storage terminal within 50 miles radius of the delivery locations to insure timely deliveries in inclement weather and during emergencies.
- 5.7. Bidder will provide a copy of its Quality Control Program to ensure product integrity and immediately provide upon request, test results for lubricity and other product specifications.

6. PRODUCT REQUIREMENTS

- 6.1. Fuel Products offered under this bid shall conform to industry standards as specified in the current NYS contract and ASTM standards for the appropriate product.

7. GUARANTEE

- 7.1. The bidder guarantees to furnish adequate protection from damage to agency’s buildings, grounds and or equipment occurring on account of or in connection with, or occasioned by, or resulting from the furnishing and delivering of diesel engine fuel under the contract and shall be liable for any damages for which he/she or his/her employees are responsible.

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- 7.2. This liability includes but is not limited to oil spills occurring during delivery. The contractor shall provide constant surveillance during delivery by having a person in attendance at all times at point of transfer. Oil spills shall be immediately reported to the agency business office to effect contact with a representative of the NYS Department of Environmental Conservation.
- 7.3. A call can be placed twenty-four hours a day at the New York State Oil Spill Hotline **1-800-457-7362**.

8. WINTER MIX BLENDED DIESEL FUEL

- 8.1. To aid in preventing any problems in performance of fuel delivered during the winter months, the awarded vendor will be required to deliver fuel mixed, prior to delivery.
- 8.2. It shall be the contractor's responsibility to satisfy the end users requirements by furnishing blended product when called for. When billing for blended products, invoices will include current contract adder for each grade, type of mixture furnished and computation of total price.
- 8.3. All fuel delivered which contains combinations of 1D/2D or winterizing additives shall be blended at the bulk plant, or via a dual/multiple manifolds on the truck which mixes them for simultaneous delivery. Deliveries via a non-manifold type of truck should not be accepted.

9. SAFETY DATA SHEETS

- 9.1. Bidders must submit Safety Data Sheets (SDS) on all applicable products upon request.

10. PREVAILING WAGE

- 10.1. Fuel Delivery service is subject to Article 9 Prevailing Wage Rates.
- 10.2. The PRC number for this project is 2023900504.
- 10.3. For applicable Article 9 Prevailing Wage Rates contact the New York State Department of Labor @ www.labor.state.ny.us.

11. AWARD

- 11.1. This contract shall be awarded to one vendor based on the lowest responsible bidder whose prices result in the lowest cost to the County of Rockland based on the proposal page columns for 150-499 and 500-999 gallons. However, unbalanced price quotes may be cause for bid rejection.
- 11.2. The County reserves the right to reject any and all bids that deviate from the specified format.