



# RENSSELAER COUNTY BUREAU OF CENTRAL SERVICES

STEVEN F. McLAUGHLIN  
COUNTY EXECUTIVE

JAMES R. GORDON  
DIRECTOR

June 20, 2018

Joseph D'Esti, Jr.  
Pricing & Bid Administrator  
Mirabito Energy Products  
P.O. Box 5306  
The Metrocenter – 49 Court Street  
Binghamton, New York 13902-5306

Re: Bid No. RFB-18-23 Fuels: Petroleum and Petroleum Blend Products for Use by  
Rensselaer County Facilities and Interested Political Subdivisions - **NOTICE OF AWARD**

Dear Mr. D'Esti:

I am pleased to inform you that your firm has been awarded the contract for Category A: On-Road Vehicle Fuels based on your ability to meet Rensselaer County Specifications and your low bid amount. The award, which is based upon estimated item quantities, is as follows:

**Bid No. RFB-18-23 – Category A: On-Road Vehicle Fuels – Total Aggregate Bid: \$2,303,762.44**  
Item #4 - B5 Biodiesel - Adder \$.00 Total Price/Gallon 2.3096  
Item #5 - B20 Biodiesel - Adder \$.00 Total Price/Gallon 2.3096

The initial contract period will be effective from July 1, 2018 through June 30, 2019, after which Rensselaer County may choose to renew the contract for two (2) additional one (1) year periods providing that all terms, conditions and pricing of the original award remain firm for any contract extensions.

The contract for Category B: Heating & Off Road Fuels has been awarded to: Main Brothers Oil Company, Inc. (Main Care Energy) – Total Aggregate Bid Amount of: \$321,623.59.

As stated on Page 8 of the Additional Bidding Requirements, Pricing: You may contact the Rensselaer County Auditors Office at (518) 270-2889 to make arrangements for the delivery of the daily published prices for the OPIS Publication (formerly the Journal of Commerce).

The New York State Department of Labor has assigned Article 9 Prevailing Wage Case Number of PRC#2018900360 to this particular project. A copy of the Prevailing Wage is enclosed with this award letter. The rates may also be accessed through the NYS DOL website at [www.labor.ny.gov](http://www.labor.ny.gov). Select each of the following: "Government & Research", "Public Work", "Overview", "Prevailing Wage Schedule & Updates", "Access Previously Requested Schedule", "Wage Rate Schedule online", enter the PRC# and select "Submit", to view the project description. Next select "Wage Schedule" to view the detailed wage schedule for this project. **Awarded Bidders are reminded to periodically check the prevailing wage rates throughout the entire length of their contract.**

As stated on Page 9 of the Additional Bidding Requirements, NYS Prevailing Wage Rates: As noted on Page 10 of the Article 9 Prevailing Wage Document – Payrolls and Payroll Records: as the “Public Agency” Rensselaer County Bureau of Central Services is formally notifying the awarded “Contractor(s)” that “certified prevailing wage payrolls for the locations listed in Bid No. RFB-18-23” will not be required by the Rensselaer County Bureau of Central Services (who is producing this bid on behalf of County-wide Departments and Interested Political Subdivisions) but rather should be kept on file and maintained by the awarded “Contractor(s)” “for at least three (3) years from the projects date of completion.”

For fuel oil purchases by Rensselaer County Departments: a Purchase Order will be forwarded to your firm, as needed. Political Subdivisions interested in this contract will purchase fuels in accordance with their particular procurement and account payment practices.

Thank you for submitting your bid.

Sincerely,



Christine M. Mariano  
Deputy Director  
Bureau of Central Services

Enc.

cc: James R. Gordon, Director of Central Services  
Lori A. Ruffinen, County Auditor  
Mike Warrington, Auto Maintenance Department  
Thomas A. Biette, Superintendent, Buildings Department  
Wayne Bonesteel, County Engineer, Highway Department  
Patricia A. Gaston, Director of Procurement, Hudson Valley Community College  
Patrick A. Russo, Sheriff, Rensselaer County  
Gerard S. Moscinski, Administrative Director, Sewer District  
Douglas E. Cosey, Executive Director, Van Rensselaer Manor  
Shawn Holt, Building Engineer, Van Rensselaer Manor  
G/308/18

## OFFICIAL BID FORM

RENSSELAER COUNTY:

Date and submission of bids up to and including Wednesday, May 2, 2018, at 11:00 A.M., at which time all bids received will be publicly opened and read aloud.

### FUELS for Use by Rensselaer County & Interested Political Subdivisions

#### CATEGORY: "A" (On-Road Vehicle Fuels)

Item	(A) BASIS*	(B) DIFFERENTIAL	(C) PRICE PER GAL.	(D) EST. GAL.	(C x D) TOTAL
1. ULS DIESEL FUEL	2.0874 +	<u>.1375</u>	= <u>2.2249</u>	X 356,299	= \$ <u>792,729.6451</u>
2. UNLEADED 87	1.9175 +	<u>.1535</u>	= <u>2.0710</u>	X 675,131	= \$ <u>1,398,196.301</u>
3. UNLEADED 89	2.0375 +	<u>.1535</u>	= <u>2.1910</u>	X 51,500	= \$ <u>112,836.50</u>
<b>Total Aggregate Bid (sum of totals 1-3):</b>					<b>\$ <u>2,303,762.4461</u></b> (Award Basis)

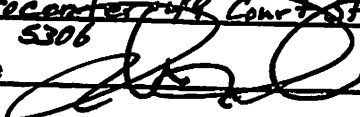
	(A) BASIS*	(B) DIFFERENTIAL	(C) PRICE PER GAL.	(D) EST. GAL.	(C x D) TOTAL
4. B5 BIODIESEL**	2.0874 +	<u>.2222</u>	= <u>2.3096</u>	+ <u>—</u>	= \$ <u>2.3096</u>
5. B20 BIODIESEL**	2.0874 +	<u>.2222</u>	= <u>2.3096</u>	+ <u>—</u>	= \$ <u>2.3096</u>

\*BASIS for the bid form is the Oil Price Daily, an OPIS Publication, reseller low tank car price published on April 2, 2018.

\*\*Cannot project usage; potential for use directly dependent upon pricing.

**NOTE: Category A-all items, including Items 4 and 5 must be bid, however the actual award will be based upon the sum of Items 1 through 3.**

**Bid Surety:** A certified check or original bid bond in the amount of \$500.00 must accompany bid. Only one surety is required whether the bidder responds to one category or both categories. Failure to submit the proper surety will result in rejection of bid.

Bidder Mirabito Holdings, Inc. db/a Mirabito Energy Products Federal Tax ID # 15-0552668  
 Address The Metrocenter 148 Court St. City Binghamton State NY Zip 13902  
 PO Box 5306  
 Authorized Signature  Print Name Matthew J. Meehan  
 Date 5/2/2018 Phone 607-352-2800 Fax 607-352-2822  
 Email Address matt.meehan@mirabito.com

RETURN IN ENCLOSED BID ENVELOPE

LOCAL LAW #2, 1992  
CERTIFICATION OF COMPLIANCE

Local Law No. 2 for the Year 1992, adopted by the County of Rensselaer and effective as of September 1, 1992, provided for certain changes to the County's Code of Ethics, adopted originally in 1989. One of the changes provided for by the 1992 legislation affects those persons and entities who wish to do business with the County of Rensselaer and Hudson Valley Community College. In substance, the Code of Ethics, as amended, provides as follows:

"No elected public official or family member hereof, nor any partnership [or] unincorporated association in which he or she is a member or employee or in which he or she has a proprietary interest, nor any business or professional corporation of which he or she is an officer, director or legally or beneficially owns or controls more than five percent of the outstanding stock, shall have business dealings with Rensselaer County or any of its boards, agencies, commissions, authorities, districts and Hudson Valley Community College. For purposes of this subdivision, business dealings shall include contracts with Rensselaer County, its boards, agencies, commissions, authorities, districts and Hudson Valley Community College, gained through competitive bidding."

For the purposes of the above section, the term "family member" means "...a spouse, child, step-child, brother, sister parent, or dependent of Rensselaer County officer, employee, public official and party officers."

Should you have any questions concerning the foregoing, you should feel free to contact the Office of the Rensselaer County Attorney, located at the Ned Pattison Rensselaer County Government Center, 1600 Seventh Avenue, Troy, New York 12180, either in writing or by telephone. The telephone number for the County Attorney's office is (518) 270-2950. Their facsimile number is (518) 270-2922.

STATE OF NEW YORK

COUNTY OF RENSSELAER

The undersigned vendor/bidder hereby certifies and affirms to the County of Rensselaer, New York that it has reviewed the pertinent provisions of Local Law No. 2 of the Year 1992 for the County of Rensselaer, New York and that the undersigned vendor/bidder is not in violation of those provisions pertaining to business dealings with the County of Rensselaer.

- PRINT or TYPE ALL INFORMATION except "SIGNATURE" -

Mirabito Holdings, Inc. d/b/a Mirabito Energy Products  
(Name of Vendor/Company)

Matthew J. Mechan, V.P. Home Comfort  
(Person authorized to sign & Title)

The Metrocenter - 49 Court St, P.O. Box 5306  
(Street or Box Number)

Binghamton NY 13902  
(City, State, Zip Code)

  
(Authorized Signature)

5/2/2018  
(Date)

**SUBMIT THIS FORM WITH YOUR BID**

**CONTRACT CLAUSES REQUIRED BY LAW AND INCLUDED AS PROVISION OF THE BID**

Upon the refusal of a person, when called before a Grand Jury, head of a municipality, or other Municipal Agency, which is empowered to compel the attendance of witnesses and examine them under oath, to testify in an investigation concerning any transaction or contract had with the State, any political subdivision thereof, a public authority or with any public department, agency or official of the State or any political sub-division thereof or of any public authority, to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract,

- (a) such person, any firm, partnership or corporation of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from district, or any public department, agency or official thereof, for goods, work or services for a period of five years after such refusal, and to provide also that
- (b) any and all contracts made with any municipal corporation or any public department, agency or official thereof or with any fire district or any agency or official thereof by such person, and by any firm, partnership or corporation of which he is a member, partner, director or officer may be canceled or terminated by the municipal corporation or fire district without incurring any penalty or damages on account of such cancellation or termination, but any monies owing by the municipal corporation or fire district for goods delivered or work done prior to the cancellation or termination shall be paid.


Each contract to which the municipality is a party and which is of such character that the employees engaged thereon are required to be insured under the provisions of the Workmen's Compensation Law, shall contain a stipulation that such contract shall be void and of no effect unless the person or corporation making or performing such contract shall secure compensation for the benefit of, and keep insured during the life of such contract, such employees in compliance with the provision of the Workmen's Compensation Law.

A contractor, to whom any contract shall be let, granted or awarded, as required by law, shall not assign, transfer, convey, sublet or otherwise dispose of the same, or of his right, title, or interest therein, or his power to execute such contract, to any other person or corporation without the previous consent in writing of the municipality awarding the contract.

**NON-COLLUSIVE BIDDING CERTIFICATION**

- (a) 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 to the best of knowledge and belief:
  - (1) The prices in this bid have been arrived at independently, without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
  - (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to the opening directly or indirectly, to any other bidder or to any competitor; and
  - (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or Corporation to submit or not to submit a bid, for the purpose of restricting competition.

SIGNED:

 Matthew J. Meehan

DATED:

5/2/2018

TITLE:

V.P. Home Comfort

FIRM:


Mirabito Holdings, Inc.  
d/b/a Mirabito Energy Products

**SUBMIT THIS FORM WITH YOUR BID**

# BID AWARD EXTENSION


BID AWARD NO.: RFB-18-23  
BID ITEM: Fuels: Petroleum and Petroleum Blend  
Products for Use by Rensselaer County  
Facilities and Interested Political Subdivisions  
Category A-On Road Vehicle Fuels  
VENDOR / CONTRACTOR: Mirabito Energy Products  
CURRENT EXPIRATION DATE: June 30, 2019  
EXTENDED EXPIRATION DATE: June 30, 2020

VENDOR ACCEPTANCE BY:

  
SIGNATURE *Matthew J. Meehan*

*Vice President*  
TITLE *4/17/19* DATE

COUNTY ACCEPTANCE BY:

  
JAMES R. GORDON

*4/8/19* DATE  
DIRECTOR  
BUREAU OF CENTRAL SERVICES

By signing this form, both parties agree to extend the bid specifications and all conditions, including prices as listed on the attached Official Bid Form, for the one (1) year period as noted by the extended expiration date.