

TOWN OF CLAYTON

NOTICE TO BIDDERS

PLEASE TAKE NOTICE, that pursuant to a motion of the Town Board of the Town of Clayton, Jefferson County, New York, sealed bids for supplying No. 2 Fuel Oil and Propane for the period October 1, 2022 to September 30, 2023 to several locations in the Town of Clayton will be received by the Town of Town Clerk until 2:00 p.m. on Monday, September 12, 2022 at which time bids will be opened and publicly read.

All bids shall be contained in sealed envelopes, distinctly marked "FUEL BID" and addressed to:

Town Clerk
Town of Clayton
405 Riverside Drive
Clayton, NY 13624

Bids shall be submitted on the official bid form available at www.townofclayton.com or from the Town Clerk's Office, at the above address accompanied by the Statement of Service, Certificate of Non-Collusion and, if required Authorization to Bid.

Bids may not be submitted via fax or email and all bids submitted must remain valid for up to forty-five (45) days from the date of the bid opening. No bids will be considered if received after the due date and time and the Town of Clayton shall assume no responsibility for the premature opening of any bid not properly addressed and identified.

All questions regarding this bid should be submitted in via fax at 315-686-2651 or email to support@townofclayton.com. Any changes made to this bid specification will be provided to all bidders on record in the form of an addendum.

The Town of Clayton reserves the right to reject, in whole or part, any and/or all bids deemed not to be in the best interest of the Town at the sole discretion of the Town. If two or more bidders submit identical bids as to price, the decision of the Town to award a contract to one of such bidders shall be final.

MEGAN BADOOR
Town Clerk

For Publication as Follows:

Thousand Islands Sun

Wednesday, August 17, 2022

INVITATION:

Bids are invited for the sale and delivery of No. 2 Fuel Oil and Propane to the Town of Clayton for the period October 1, 2022 – September 30, 2023. Sealed bids should be forwarded as indicated in NOTICE TO BIDDERS.

CONDITIONS:

1. No. 2 Fuel Oil and Propane supplied under the terms of the bid award contract shall be of a quality designed to burn properly in the burners now installed at the various locations. It shall be sufficiently free of dirt or sediment to ensure freedom from clogging of lines, burners and burner nozzles, and shall contain no chemicals liable to corrode metal parts.
2. Pursuant to Section 100 of the New York State General Municipal Law, the Town is authorizing any political subdivision, fire company or district located in whole or in part within the Town of Clayton to participate in contracts entered into by the Town for the purchase of fuel oil and propane. These purchases would be made directly by the towns, villages or fire districts, from the winning bidder.
3. The successful bidder must have a source of supply directly from a reputable oil refinery and shall indicate said source on the Official Bid form.
4. It is to be understood by the bidder that all quantities may be either increased or decreased at the discretion of the Town according to need.
5. The successful bidder shall be responsible for all damage caused by over-filling the tanks, delivery to the wrong buildings, or any other damage caused by the bidder's equipment.
6. The successful bidder shall provide good and sufficient proof acceptable in form to the Town Supervisor's office of insurance in the amount of one million per occurrence / three million aggregate with the Town of Clayton as a named insured.
7. There are two official bid forms attached which allows for bidding a fixed price for the entire contract period or for bidding a variable price. Bidders may submit a fixed price, a variable price, or both.
8. The variable bid price for #2 Fuel Oil specified shall be the net cost per gallon to the Town, including delivery into the Town's storage tanks, and shall be based on the Journal of Commerce Albany Reseller Tank Car Low Price posted on **Monday, September 5, 2022**. The bid price shall be subject to increase or decrease during the contract period corresponding with the changes in the reseller's

posted tank car price at the Port of Albany as published in the Journal of Commerce for the date of delivery. The submitted bid price shall be firm and not thereafter increased for claimed late payment or other addition.

9. The variable bid price for Propane specified shall be the net cost per gallon to the Town, including delivery into the Town's storage tanks, and shall be based on the Journal of Commerce Oil Price Daily under the heading of Propane – Selkirk, New York posted on ***Monday, September 5, 2022***. The bid price shall be subject to increase or decrease during the contract period corresponding with the changes in the reseller's posted tank care price at Selkirk, New York as published in the Journal of Commerce for the date of delivery. The submitted bid price shall be firm and not thereafter increased for claimed late payment or other addition.
10. All fuel shall be delivered on call or by automatic delivery as arranged by the Town and the supplier. Delivery will be required to be made to each of the Town's buildings as listed between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, unless otherwise specified directly by the Town or other political subdivision. The amount of fuel delivered must be determined by meter at the time of delivery. Delivery is to be made under the supervision of the Recreation Supervisor and/or Superintendent of Highways, or their designee(s). *Deliveries to the Village of Clayton from April 1st through July 31st must be approved by the Village prior to delivery.* Deliveries to other agencies under this award are to be coordinated between the successful bidder and the agency directly.
11. Invoices for payment for fuel oil delivered must be submitted upon the successful bidder's itemized billing form and be supported by delivery slips. Delivery Tickets must identify, at minimum, the delivery location, gallons pumped, product and price per gallon. Billing will contain no surcharges. Statements, along with copies of invoices, must be submitted to the following:

Town of Clayton, Finance Department, 405 Riverside Drive, Clayton, NY 13624 by the 5th of the month for payment within that month's abstract. Contacts: Finance: 315-686-6007 Facilities: 315-399-7729

Village of Clayton, 425 Mary Street, Clayton, NY 13624. Phone: Finance: 315-686-5552 Facilities: 315-686-3631

Clayton Fire District, PO Box 237, Clayton, NY 13624. Phone: 315-921-1891

Thousand Islands Emergency Rescue Service (TIERS), 855 Graves Street, Clayton, NY 13624. Phone: 315-686-4333

12. No charge will be allowed for federal, state, sales and/or excise taxes

from which the Town of Clayton is exempt.

13. Bidders are expected to make an on-site inspection of each location where oil is to be delivered in order to acquaint themselves with the access to the storage tanks and length of hose required to reach fill pipes.
14. Requirements Contract. Bidder acknowledges that the Contract that will be entered into as a result of this solicitation will be a Requirements Contract, and the Town guarantees no minimum or maximum purchases will be made. The Town will have no obligation to the Contractor if no items or services are required. Any quantities which are included are the present expectations for the period of the contract and the Contractor understands and agrees that the Town is under no obligation to the Contractor to buy any amount as a result of having provided this estimate or of having had any normal or otherwise measurable requirement in the past. The bidder further understands that the Town may require services in excess of the estimated annual contract amount and that such excess shall not give rise to any claim for compensation other than at the unit prices in this Contract. This contract is an Indefinite Quantity Contract. All quantities or dollar values listed within these specifications are estimates.
15. Under the provision of Section 103-d of the General Municipal Law, all bids submitted to a political subdivision of the State of New York must contain a Non-collusive Bidding Certification. This certification must be completed on the proper form supplied by the Clerk of the Town of Clayton and must accompany the bid when submitted.
16. Sexual Harassment. 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. Where competitive bidding is not required, state departments and agencies may, at their discretion, require the above certification. A model policy and training has been created by the NYS Department of Labor and can be found here:
<https://www.ny.gov/programs/combating-sexual-harassment-workplace>

LOCATIONS FOR DELIVERY OF NO. 2 FUEL OIL

<u>Building</u>	<u>Estimated Usage 2021-2022 (Gallons)</u>	<u>Storage Tank (Gallons)</u>
TOWN OF CLAYTON		
<i>Customer-Owned Tanks</i>		
Recreation Park Pool 600 East Line Road, Clayton	500	(1) 4,000 <i>(AS NEEDED ONLY)</i>
BILLED DIRECTLY TO VILLAGE OF CLAYTON		
425 Mary Street, Clayton, NY 13624 <i>Customer-Owned Tanks</i>		
Village Municipal Building 425 Mary Street, Clayton	4,777	4,000 <i>(Underground)</i>
Low Lift Water Plant 113 Bartlett Point Road, Clayton <i>(apartment heat-needs every 3 weeks)</i>	1,463	275
BILLED DIRECTLY TO CLAYTON FIRE DISTRICT		
PO Box 237, Clayton, NY 13624 <i>Customer-Owned Tanks</i>		
Depauville Fire Department 15231 School Street, Depauville	1,367	500
ANY OTHER POLITICAL SUBDIVISION, fire company or district, pursuant to Section 408-a of New York State County Law	N/A	TBD

**The number of gallons listed are for the purpose of determining the low bid. It is not a guarantee of actual usage and is not meant to hold the Town to a specific consumption. Actual usage required on the contract may be higher or lower than the number of gallons stated.*

LOCATIONS FOR DELIVERY OF PROPANE

	<u>Building</u>	<u>Estimated Usage 2021-2022 (Gallons)</u>	<u>Storage Tank (Gallons)</u>
TOWN OF CLAYTON			
<i>Customer-Owned Tanks</i>			
1.	Town Hall 405 Riverside Drive, Clayton	15,484	(1) 1,000
2.	Highway Barn 615 East Line Road, Clayton	10,311	(2) 1,000
3.	Recreation Park Arena 600 East Line Road, Clayton <i>(4 - 1,000 Tanks for Arena, 8 – 5gal for Zamboni)</i>	14,171	(4) 1,000
4.	Transfer Site 36243 County Route 4, Clayton	428	(2) 100
5.	Depauville Library 32333 County Route 179, Depauville	2,811	(1) 500

**BILLED DIRECTLY TO
VILLAGE OF CLAYTON**

425 MARY STREET, CLAYTON, NY 13624

Customer-Owned Tanks

1.	Village Bathhouse 800 Mary Street Dock, Clayton <i>(Heat)</i>	46	(1) 100
2.	Low Lift Water Plant 113 Bartlett Point Road, Clayton <i>(Generator)</i>	0	(1) 1,000
3.	East Union Street Pump Station End of East Union Street, Clayton <i>(Generator)</i>	174	(1) 325

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LOCATIONS FOR DELIVERY OF PROPANE
CONTINUED

<u>Building</u>	<u>Estimated Usage</u> 2021-2022 <u>(Gallons)</u>	<u>Storage</u> <u>(Gallons)</u>
BILLED DIRECTLY TO CLAYTON FIRE DISTRICT		
PO Box 237, Clayton, NY 13624 <i>Customer-Owned Tanks</i>		
1. Clayton Fire Department 855 Grave Street, Clayton	4,630	(2) 1,000
2. Depauville Social Hall 15231 School Street, Depauville	2,250	(1) 1,000
 BILLED DIRECTLY TO TIERS		
885 Graves Street, Clayton, NY 13624 <i>Customer-Owned Tank</i>		
1. TIERS 885 Graves Street, Clayton	~2,000	(1) 1,000
 BILLED DIRECTLY TO HAWN MEMORIAL LIBRARY		
220 John Street, Clayton, NY 13624 <i>Customer-Owned Tank</i>		
1. Hawn Memorial Library 220 John Street, Clayton, NY 13624	3,319	(1) 500
1. ANY OTHER POLITICAL SUBDIVISION, fire company or district, pursuant to Section 408-a of New York State County Law	N/A	TBD

**The number of gallons listed are for the purpose of determining the low bid. It is not a guarantee of actual usage and is not meant to hold the Town to a specific consumption. Actual usage required on the contract may be higher or lower than the number of gallons stated.*

CERTIFICATE OF NON-COLLUSION

To: Town of Clayton
Re: Attached Bid

Date: _____

I, _____

HEREBY CERTIFY, as follows:

- 1. That the attached bid has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor.
- 2. That the bid has not been knowingly disclosed prior to the opening of bids to any other bidder or competitor.
- 3. That no attempt has been or will be made to induce any other person or firm to submit or not to submit a bid.
- 4. That the statements are accurate, under penalty of perjury.
- 5. That attached hereto (if a corporate bidder) is a certified copy of a resolution authorizing the execution of the certificate by the signatory of this bid or proposal in behalf of the corporate bidder.

(Name of Company or Corporation)

By: _____
(Signature of Officer)

(Title)

(Address of Company)

This certification is made pursuant to an amendment to the State Finance Law, the General Municipal Law and the Public Authorities Law, relating to non-collusion in public bids and proposals, which became effective September 1, 1965. (Chapter 751 of the Laws of 1965)

AUTHORIZATION TO BID

RESOLVED, that _____
(Name of Individual)

be authorized to sign and submit the bid or proposal of

(Name of Corporation)

for the supply of fuel and to include in such bid or proposal the certificate of non-collusion required by Section 103-d of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by

_____ at a meeting of this board of directors held
on (Name of Corporation)

the _____ day of _____, _____.

Secretary

**BID FORM – FOR FIXED PRICE DELIVERY OF #2 FUEL OIL & PROPANE
FOR THE ENTIRE CONTRACT PERIOD**

LOCATIONS FOR DELIVERY OF #2 FUEL OIL:

Location	Cost Per Gallon
<u>TOWN OF CLAYTON</u>	
Recreation Park Pool	_____

<u>VILLAGE OF CLAYTON</u>	
Village Municipal Building	_____
Low Lift Water Plant	_____

<u>CLAYTON FIRE DISTRICT</u>	
Depauville Fire Department	_____

<u>ANY OTHER POLITICAL SUBDIVISION</u>	_____
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Name of Company

Signature and Title

**BID FORM – FOR FIXED PRICE DELIVERY OF #2 FUEL OIL & PROPANE
FOR THE ENTIRE CONTRACT PERIOD**

LOCATIONS FOR DELIVERY OF PROPANE GAS:

Location	Cost Per Gallon
<u>TOWN OF CLAYTON</u>	
Town Hall	_____
Highway Barn	_____
Recreation Park Arena	_____
Transfer Site	_____
Depauville Library	_____
<u>VILLAGE OF CLAYTON</u>	
Village Boathouse	_____
Low Lift Water Plant (Generator)	_____
East Union Street Pump Station (Generator)	_____
<u>CLAYTON FIRE DISTRICT</u>	
Clayton Fire Department	_____
Depauville Social Hall	_____
<u>THOUSAND ISLANDS EMERGENCY RESCUE SERVICE (TIERS)</u>	

<u>HAWN MEMORIAL LIBRARY</u>	

<u>ANY OTHER POLITICAL SUBDIVISION</u>	

Name of Company

Signature and Title

**BID FORM – FOR VARIABLE PRICE DELIVERY OF #2 FUEL OIL & PROPANE
FOR THE ENTIRE CONTRACT PERIOD**

LOCATIONS FOR DELIVERY OF #2 FUEL OIL:

<u>Location</u>	<u>Port of Albany Reseller Car Price 9/5/2022</u>	<u>Rack Differential</u>	<u>Price Per Gallon to Town</u>
<u>TOWN OF CLAYTON</u>			
Recreation Park Pool	_____	_____	_____
<u>VILLAGE OF CLAYTON</u>			
Village Municipal Building	_____	_____	_____
Low Lift Water Plant	_____	_____	_____
<u>CLAYTON FIRE DISTRICT</u>			
Depauville Fire Department	_____	_____	_____
<u>ANY OTHER POLITICAL SUBDIVISION</u>			
_____	_____	_____	_____

BID PRICE based on Journal of Commerce, Albany, Reseller Tank Car Low Price posted on Monday, September 5, 2022 which as \$_____ per gallon.

Name of Company

Signature and Title

**BID FORM – FOR VARIABLE PRICE DELIVERY OF #2 FUEL OIL & PROPANE
FOR THE ENTIRE CONTRACT PERIOD**

<u>Location</u>	<u>Port of Selkirk Reseller Car Price 9/5/2022</u>	<u>Rack Differential</u>	<u>Price Per Gallon to Town</u>
<u>TOWN OF CLAYTON</u>			
Town Hall	_____	_____	_____
Highway Barn	_____	_____	_____
Recreation Park Arena	_____	_____	_____
Transfer Site	_____	_____	_____
Depauville Library	_____	_____	_____
<u>VILLAGE OF CLAYTON</u>			
Village Boathouse	_____	_____	_____
Low Lift Water Plant (Generator)	_____	_____	_____
East Union Street Pump Station (Generator)	_____	_____	_____
<u>CLAYTON FIRE DISTRICT</u>			
Clayton Fire Department	_____	_____	_____
Depauville Social Hall	_____	_____	_____
<u>THOUSAND ISLANDS EMERGENCY RESCUE SERVICE (TIERS)</u>			
	_____	_____	_____
<u>HAWN MEMORIAL LIBRARY</u>			
	_____	_____	_____
<u>ANY OTHER POLITICAL SUBDIVISION</u>			
	_____	_____	_____

Name of Company

Signature and Title