



COUNTY OF ERIE
DIVISION OF PURCHASE
MEMORANDUM

To: All Using Departments

From: Jamie Kucewicz, Buyer

Date: July 25, 2022

Subject: MAINTENANCE/ON-CALL SERVICES – ERIE COUNTY FUEL & CHEMICAL SITES

Bid No.: 220173-002

Effective Dates: Extended through August 31, 2024

Vendor #: 107496

Vendor: THE PUMP DOCTOR, INC.
2706 Hemlock Road
Eden, NY 14057

Telephone: 716-992-3181

Contact: Ben Appleton

Pricing: per attached document



COUNTY OF ERIE

DIVISION OF PURCHASE

VALLIE M. FERRARACCIO

DIRECTOR

June 29, 2022

The Pump Doctor, Inc.
2706 Hemlock Road
Eden, NY 14057
Attn: Benjamin Appleton

Re: Bid #220173-002 - Maintenance/On-Call Services - Erie County Fuel Sites

Dear Mr. Appleton:

The County of Erie wishes to extend this agreement for an additional two years, through August 31, 2024, under the same prices, terms and conditions as the original agreement.

Extension is provided for per paragraph 26, Page 5 of 6 of the "Instructions to Bidders". This offer is for your immediate consideration and acceptance. Please indicate below whether you agree to extend or do not wish to extend. Please respond within seven days upon receipt of this request.

After approval and execution by the County, a fully signed copy will be returned to you for your files.

Yes, I agree to extend No, I do not wish to extend

Company Name: THE PUMP DOCTOR, INC

Representative (Please print): BENJAMIN APPLETON Title: PRESIDENT

Signature: Benjamin Appleton Date: 7/11/2022

Sincerely,

James D. Kucewicz
Buyer

Vallie M. Ferraraccio
Director of Purchase
7/18/2022
DATE



County of Erie

MARK C. POLONCARZ
COUNTY EXECUTIVE

DIVISION OF PURCHASE

STANDARD AGREEMENT

This AGREEMENT, made as of the 27th DAY OF AUGUST, 2020

by and between THE PUMP DOCTOR, INC.

of 2706 HEMLOCK ROAD, EDEN, NY 14057

herein after referred to as the Contractor, and the County of Erie, a municipal corporation of the State of New York, hereinafter referred to as the County.

WHEREAS, in accordance with public open competitive bidding, sealed proposals were received and publicly opened by the County of Erie, Division of Purchase

on AUGUST 21, 2020 at 11:00AM

for: MAINTENANCE/ON-CALL SERVICES - ERIE COUNTY FUEL & CHEMICAL SITES

WHEREAS, the bid of the Contractor submitted in accordance therewith, comprising various test costs and an Overhead & Profit charge of 20%, was the lowest responsible bid submitted, and

WHEREAS, a contract is hereby awarded to the Contractor by the County, in accordance with the provisions therein contained; and

WHEREAS, the Notice to Bidders and Specifications make provisions for entering into a proper and suitable contract in connection therewith;

NOW, therefore, the Contractor does hereby for its heirs, executors, administrators and successors agree with the County of Erie that, the Contractor shall for the consideration mentioned, and in the manner set forth in Accepted Invitation to Bid No. 220173-002, Specifications and Provisions of Law annexed hereto and forming a part of this contract, furnish the equipment and materials and perform the work and services described in the Accepted Bid for the above sum.

_____ Paid monthly upon presentation of invoices.

_____ Upon delivery, completion and approval of the
work, as per specifications.

Please refer to the Invitation to Bid (Page 1) and the Instructions to Bidders which are part of this agreement.

IN WITNESS THEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

COUNTY OF ERIE

CONTRACTOR: THE PUMP DOCTOR, INC.

by _____
Director of Purchase

by Benjamin Appleton

Date _____

Title PRESIDENT

Date AUGUST 31, 2020

APPROVED AS TO FORM

Assistant County Attorney
County of Erie, New York

Date _____



COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE
DIVISION OF PURCHASE
INVITATION TO BID

Bids, as stated below, will be received and publicly opened by the Division of Purchase in accordance with the attached specifications. FAX bids are unacceptable. Bids must be submitted in a sealed envelope to:

County of Erie
 Division of Purchase
 Attention: JAMES D. KUCEWICZ, BUYER (716) 858-6336
 95 Franklin Street, Room 1254
 Buffalo, New York 14202-3967

NOTE: Lower left hand corner of envelope **MUST** indicate the following:

BID NUMBER: 220173-002

OPENING DATE: AUGUST 18, 2020 TIME: 11:00AM

FOR: MAINTENANCE/ON-CALL SERVICES - ERIE COUNTY FUEL & CHEMICAL SITES

NAME OF BIDDER: The Pump Doctor, Inc. 2706 Hemlock Rd. Eden, NY 14057

If you are submitting other Invitations to Bid, each bid must be enclosed in a separate envelope.

Following EXHIBITS are attached to and made a part of the bid specifications, and part of any agreement entered into pursuant to this Invitation to Bid:

- EXHIBIT "A" - Assignment of Public Contracts
- EXHIBIT "B" - Purchases by Other Local Governments or Special Districts
- EXHIBIT "C" - Construction/Reconstruction Contracts
- EXHIBIT "D" - Bid Bond (Formal Bid)
- EXHIBIT "E" - Bid Bond (Informal Bid)
- EXHIBIT "EP" - Equal Pay Certification
- EXHIBIT "F" - Standard Agreement
- EXHIBIT "G" - Non-Collusive Bidding Certification
- EXHIBIT "H" - MBE/ WBE Commitment
- EXHIBIT "IC" - Insurance CLASSIFICATION "A"
- EXHIBIT "P" & EXHIBIT "PBI" - Performance Bond
- EXHIBIT "PW" - NYS Prevailing Wage
- EXHIBIT "Q" - Confined Space Program Certification
- EXHIBIT "V" - Vendor Federal Compliance Certification

County of Erie
 DIVISION OF PURCHASE
NON-COLLUSIVE BIDDING CERTIFICATION

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 his 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 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 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

NOTICE

(Penal Law, Section 210.45)

IT IS A CRIME, PUNISHABLE AS A CLASS A MISDEMEANOR UNDER THE LAWS OF THE STATE OF NEW YORK, FOR A PERSON, IN AND BY A WRITTEN INSTRUMENT, TO KNOWINGLY MAKE A FALSE STATEMENT, OR TO MAKE A FALSE STATEMENT, OR TO MAKE A STATEMENT WHICH SUCH PERSON DOES NOT BELIEVE TO BE TRUE.

BID NOT ACCEPTABLE WITHOUT FOLLOWING CERTIFICATION:

Affirmed under penalty of perjury this 5th day of August, 20 20

TERMS NET 30 DELIVERY DATE AT DESTINATION _____

FIRM NAME The Pump Doctor, Inc.

ADDRESS 2706 Hemlock Road

Eden, NY ZIP 14057

AUTHORIZED SIGNATURE Benjamin Appleton

TYPED NAME OF AUTHORIZED SIGNATURE Benjamin Appleton

TITLE President TELEPHONE NO. 716.992.3181

(Rev 1/2000)

ERIE COUNTY OFFICE BUILDING, 95 FRANKLIN STREET, BUFFALO, NEW YORK 14202 (716) 858-6395

County of Erie
 DIVISION OF PURCHASE
 BID SPECIFICATIONS

BID NO. 220173-002

Ship to:
 Attention:

Ship Via:
 Date Required at Destination:

			CATALOG NO./DESCRIPTION		
			Vendor to provide Maintenance Services,		
			on an as-needed, basis, at various Erie County fuel and chemical sites		
			Contract period will be from September 1, 2020 through August 31, 2022		

NOTE: Bid results cannot be given over the phone. All requests for bid results should be submitted in writing or faxed to:

ERIE COUNTY DIVISION OF PURCHASE
 Freedom of Information Officer
 95 Franklin Street, Rm. 1254
 Buffalo, NY 14202
 FAX #: 716/858-6465

NAME OF BIDDER The Pump Doctor, Inc.

(Rev. 9/95)

Specification for Maintenance/On-Call Services
Erie County Fuel and Chemical Sites

Article I - General Information and Scope of Work

1001.1 Erie County requires a Full-Service service/on call contract to provide maintenance services of fuel and chemical site systems utilizing all labor, parts material, tools, equipment, electrical work and work practices in strict accordance with all applicable codes and standards. Transportation and supervision necessary to install, service Gas Boy - Veeder Root fuel systems and Facility fuel oil systems at all Erie County owned buildings as directed by the County of Erie representative during the contract term. Contractor must be able to service, repair, and maintain underground storage tanks (UST) and aboveground storage tanks (AST) and systems delivery.

Erie County Division of Sewerage Management (DSM) also operates a chemical UST that is included in the scope of this contract.

Contractor must also provide Required Certified Testing mandated by DEC and EPA as listed in Article III. Test documents to be provided to building manager and filed with DEC

Note: Fuel Oil Systems includes all required related equipment Tanks underground and aboveground for complete fuel delivery. Contractor must also be able to provide excavation and site restoration including any required concrete work.

All work must conform to the latest edition of the International Building Code and local laws.

1001.2 Contract is for a 2-year term September 1, 2020 to August 31, 2022

1001.3 Contractor must be able to provide service 24 hours /day - 7 days /week and be able to respond within 1 hour and be on site within 2 hours from time of call by a County of Erie representative. Must provide 24-hour emergency number

1001.4 Any work performed under this specification must be at current prevailing rate and contractor is responsible to provide certified payroll as required by New York State Department of Labor for every invoice submitted. Contractor to provide current prevailing rate in January for each year of contract.

1001.5 - The county reserves the right to terminate (60 Day written notice) at any time, for any reason, or suspend any part of the services described herein when conditions change, operation of a county facility is reduced or discontinued or other similar circumstances take place. In the event of such termination or suspension, payments for services shall suspend without penalty.

Article II - Qualifications / Requirements

2001.1 All Erie County Fuel sites are Gas Boy / Veeder Root Fuel Management Systems and Gas boy Fleet plus and Prime Systems. All work associated with the required system operations must be performed by Gas Boy / Veeder Root Factory Trained Certified Technicians (Current Documentation of Training of technicians must be submitted at time of bid) To insure the integrity and listings of the systems. The contractor will assume all associated liabilities and risks when working on systems as the fuel management systems are connected to the County wide integrated network for fuel management which is operated and controlled at 95 Franklin St. Buffalo N.Y. Any failure to the County wide integrated systems and network caused by the contractor or his sub-contractors will be the responsibility of the contractor. The contractor will be responsible for any and all costs associated to system restoration.

2001.2 The contractor shall have been a qualified service organization in active operation for a minimum of 10 Years. The bidder shall furnish with his bid, a statement that he has in his employ and under his supervision, the necessary certified personnel and he possesses resources located within the County of Erie, to properly fulfill all the services and conditions required under these specifications.

2001.3 The contract will be awarded to a contractor whose primary business is fuel site installation, maintenance, repair, restoration, DEC required testing and reporting. The experience questionnaire attached must be submitted at time of bid.

2001.4 The contractor shall have a flawless record with the Department of Labor any infractions within the past 10 Years, specifically regarding prevailing rate, will disqualify the bidder.

2001.5 Contractor to provide quality workmanship and material and be subject to inspection by Erie County representative.

2001.6 - Contractor must provide photographic documentation of all excavation and restoration work.

Article III - Testing

3001.1 - The following tests must be performed as required by DEC and EPA Regulations and requested by Erie County:

1. Cathodic Test
2. Annual Tightness Test (Pressurized line tightness test and pressurized leak detector test).
3. Annual Test (Release detection equipment testing) for a complete overview of the Veeder Root tank monitors and associated sensors, probes, alarms.
4. Triennial Test (To include spill prevention equipment testing; overfill prevention equipment inspections, and hydrostatic containment sump testing, Veeder Root (ATG) release detection equipment inspections in accordance with EPA/DEC and PEI standards.
5. Semiannual fire suppression test
6. Soil Testing (when required)

All testing documentation must be sent to DEC and to the respective Erie County Department or Division, 95 Franklin St Buffalo N.Y.14202

Article IV - Pricing

4001.1 - On Call Service /Construction

Include line item bid price for hourly labor rate for any work that may be required to bring fuel sites under code compliance, service calls for equipment, fuel systems computer issues, construction.

Quote shall be sent to department for approval.

Example : Work required to correct failed test , service call for Gas Boy / Veeder Root equipment, fuel oil spills, excavation, contaminated soil disposal, concrete work.

Hourly Billing Rate: \$90⁰⁰ / Hour

Travel Time Allowed: Must be billed on separate line of invoice

4001.2 Contractors Percentage of Overhead & Profit 20 %

4001.3 - DEC / EPA Required Testing

All testing to be all-inclusive (labor, material, travel) pricing to perform each test. Any work to correct failed test to follow pricing in Article 4001.1 and 4001.2. The bid price will be the TOTAL amount paid for each test.

Cost for Cathodic Test	\$ <u>90⁰⁰</u>
Cost for Annual Tightness Test	\$ <u>250⁰⁰</u>
Cost for Annual Test	\$ <u>300⁰⁰</u>
Cost for Triennial Tests	\$ <u>300⁰⁰</u>
Cost for Semiannual Fire Suppression Test	\$ <u>360⁰⁰</u>
Cost for Soil Testing (when required)	\$ <u>249²⁵</u>
Cost for Tank Tightness Test	\$ <u>500⁰⁰</u>

***Bid award will be based on:**

- 1) Total cost of one of each test**
- 2) 300 hours of labor**
- 3) Overhead and profit on item 2**

NOTES

- Vendor invoice must list separately labor, travel, materials, equipment charges (example: rental of equipment) and O & P. Invoices for non- labor charges also must be provided at time of billing.
- Invoices for testing shall have the testing results attached.
- All invoices shall have Certified Payroll documents attached.
- All Invoices to be sent electronically to department responsible for payment.
- Contractor to provide prevailing wage rate in January of each year of contract.

Article V - Attachments

1. Listing of Fuel Sites
2. Experience Questionnaire