



County

Nassau

Office of Purchasing

Staff Summary A-21-2018

A-21-2018

Subject: No.2 Heating Oil & Diesel (S/B # 40512-07057-092)
Department: Office of Purchasing
Department Head Name: Robert Cleary
Department Head Signature:

Date: February 02, 2018
Vendor Name: United Metro Energy Corp.
Contract Number A-21-2018
Contract Manager Name Timothy Funaro

Proposed Legislative Action					
	To	Date	Approval	Info	Other
	Assgn Comm				
	Rules Comm				
	Full Leg				

Internal Approvals			
Date & Init.	Approval	Date & Init.	Approval
	Dept. Head		rel to
	Budget	2/1/18 JS	County Atty.
	Deputy C.E. WP	3/5/18	County Exec.

Narrative

Purpose: To authorize and award a Blanket Purchase Order for TW Oil, TW Diesel and MF Diesel for the Nassau County Department of Public Works.

Discussion: This solicitation was advertised in Newsday and posted to the Nassau County Bid Solicitation Board where seven (7) vendors viewed the bid. Minority Affairs was given a copy of the bid. Four (4) bids were received.

Impact on Funding: Annual cost of this contract will exceed One Hundred Thousand Dollars (\$100,000.) from general funds.

Recommendation: Office of Purchasing recommends an award be given to United Metro Energy Corp. as the lowest responsible bidder meeting specifications.

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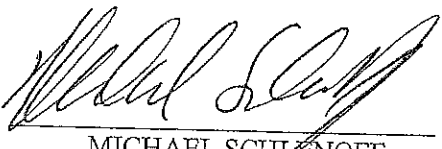
NASSAU COUNTY
CLERK OF THE BOARD OF SUPERVISORS

COUNTY OF NASSAU
INTER -- DEPARTMENTAL MEMO

TO: CLERK OF THE COUNTY LEGISLATURE **A-21-2018**
FROM: ROBERT CLEARY-DIRECTOR OF PROCUREMENT COMPLIANCE
DATE: FEBRUARY 08, 2018
SUBJECT: RESOLUTION-NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS

THIS RESOLUTION IS RECOMMENDED BY THE DIRECTOR, OFFICE OF PURCHASING TO AUTHORIZE AN AWARD AND TO EXECUTE A BLANKET PURCHASE ORDER IN THE ANNUAL AMOUNT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) ON BEHALF OF NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS TO UNITED METRO ENERGY CORP. WHO IS THE LOWEST RESPONSIBLE BIDDER MEETING SPECIFICATIONS FOR TW OIL, TW DIESEL AND MF DIESEL FOR NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS.

THE ABOVE DESCRIBED DOCUMENT ATTACHED HERETO IS FORWARDED FOR YOUR REVIEW AND APPROVAL AND SUBSEQUENT TRANSMITTAL TO THE RULES COMMITTEE FOR INCLUSION IN ITS AGENDA.


MICHAEL SCHLENOFF
ACTING DIRECTOR OF PURCHASING

MS: br

ENCL: (1) STAFF SUMMARY
(2) DISCLOSURE STATEMENT
(3) RESOLUTION
(4) BID SUMMARY
(5) BID PROPOSAL
(6) CERTIFICATE OF LIABILITY INSURANCE
(7) RECOMMENDATION OF AWARD
(8) POLITICAL CONTRIBUTION FORM



RULES RESOLUTION

2018

A RESOLUTION AUTHORIZING THE DIRECTOR OF NASSAU COUNTY OFFICE OF PURCHASING TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND UNITED METRO ENERGY CORP.

WHEREAS, the County of Nassau on behalf of the NASSAU COUNTY OFFICE OF PURCHASING has received competitive bids 40512-07057-092 for TW Oil, TW Diesel and MF Diesel for the Nassau County Department of Public Works as more particularly described in the bid document; and

WHEREAS, the Director is representing to the Rules Committee that the firm, UNITED METRO ENERGY CORP. submitted the lowest responsible bid and meets all specifications for the product described in the said contract as determined by the Director of the Office of Purchasing.

RESOLVED, that the Rules Committee of the Nassau County Legislature authorizes the Director, Office of Purchasing to award and execute the said Blanket Purchase Order with UNITED METRO ENERGY CORP.



COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator? If yes, to what campaign committee?

Madeline Singer - \$10,000

2. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees identified above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Dated: January 23, 2018

Vendor: United Metro Energy Corp

Signed: Anthony F. Valente

Print Name: Anthony F. Valente

Title: VP & General Counsel



COUNTY OF NASSAU

LOBBYIST REGISTRATION AND DISCLOSURE FORM

1. Name, address and telephone number of lobbyist(s)/lobbying organization. The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

None

2. List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

None

3. Name, address and telephone number of client(s) by whom, or on whose behalf, the lobbyist is retained, employed or designated:

None

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

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[Signature]
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President
TITLE

Page 2 of 4

None

4. Describe lobbying activity conducted, or to be conducted, in Nassau County, and identify client(s) for each activity listed. See page 4 for a complete description of lobbying activities.

None

5. The name of persons, organizations or governmental entities before whom the lobbyist expects to lobby

None

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Page 3 of 4

6. If such lobbyist is retained or employed pursuant to a written agreement of retainer or employment, you must attach a copy of such document; and if agreement of retainer or employment is oral, attach a written statement of the substance thereof. If the written agreement of retainer or employment does not contain a signed authorization from the client by whom you have been authorized to lobby, separately attach such a written authorization from the client.

7. During the previous year, has the lobbyist/lobbying organization or any of its corporate officers provided campaign contributions pursuant to the New York State Election Law to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator?

If yes, to what campaign committee? If none, you must so state:

None

I understand that copies of this form will be sent to the Nassau County Department of Information Technology ("IT") to be posted on the County's website.

I also understand that upon termination of retainer, employment or designation I must give written notice to the County Attorney within thirty (30) days of termination.

VERIFICATION: The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees listed above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Dated: 7/25/17

Signed: _____

Print Name: _____

Title: _____

Fred Spivak
Fred Spivak
President

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Fred Spivak
BIDDER

President
TITLE

Page 4 of 4:

The term **lobbying** shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including but not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing;

the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

The term "lobbying" or "lobbying activities" **does not include**: Persons engaged in drafting legislation, rules, regulations or rates; persons advising clients and rendering opinions on proposed legislation, rules, regulations or rates, where such professional services are not otherwise connected with legislative or executive action on such legislation or administrative action on such rules, regulations or rates; newspapers and other periodicals and radio and television stations and owners and employees thereof, provided that their activities in connection with proposed legislation, rules, regulations or rates are limited to the publication or broadcast of news items, editorials or other comment, or paid advertisements; persons who participate as witnesses, attorneys or other representatives in public rule-making or rate-making proceedings of a County agency, with respect to all participation by such persons which is part of the public record thereof and all preparation by such persons for such participation; persons who attempt to influence a County agency in an adjudicatory proceeding, as defined by § 102 of the New York State Administrative Procedure Act.

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TITLE



PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name John A. Catimatidis
Date of birth _____
Home address _____
City/state/zip _____
Business address 800 Third Avenue, 5th Floor
City/state/zip New York, NY 10022
Telephone (212) 956-5803
Other present address(es) N/A
City/state/zip _____
Telephone _____
List of other addresses and telephone numbers attached _____
2. Positions held in submitting business and starting date of each (check all applicable)
President / / Treasurer / /
Chairman of Board 03/06/03 Shareholder / /
Chief Exec. Officer 03/06/03 Secretary / /
Chief Financial Officer / / Partner / /
Vice President / /
(Other) _____
3. Do you have an equity interest in the business submitting the questionnaire?
YES X NO _____ If Yes, provide details. Through control of corporate parent United Refining, Inc.
4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES X NO _____ If Yes, provide details. Agency I control leases office space to the bidder
5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire? YES X NO _____; If Yes, provide details. I am a beneficial owner of several companies in real estate & energy sectors.
6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer? YES _____ NO X If Yes, provide details.

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TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

☐ B
☐ C
UNITED STATES

FORMAL SEALED BID PROPOSAL
40512-07057-092

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:
- a. Been debarred by any government agency from entering into contracts with that agency? YES ____ NO X If Yes, provide details for each such instance.
 - b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause? YES ____ NO X If Yes, provide details for each such instance.
 - c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards? YES ____ NO X If Yes, provide details for each such instance.
 - d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract? YES ____ NO X If Yes, provide details for each such instance.
8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated? If "Yes", provide details for each such instance. (Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.) NO
- a) Is there any felony charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - b) Is there any misdemeanor charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - c) Is there any administrative charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - d) In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? YES ____ NO X If Yes, provide details for each such conviction.
 - e) In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor? YES ____ NO X If Yes, provide details for each such conviction.
 - f) In the past 5 years, have you been found in violation of any administrative or statutory charges? YES ____ NO X If Yes, provide details for each such occurrence.

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[Signature]
BIDDER

28

President
TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK



FORMAL SEALED BID PROPOSAL
40512-07057-092

9. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5? YES ☐ NO ☒ If Yes, provide details for each such investigation.
10. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer? YES ☐ NO ☒ If Yes; provide details for each such investigation.
11. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES ☐ NO ☒ If Yes; provide details for each such instance.
12. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? YES ☐ NO ☒ If Yes, provide details for each such year.

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TITLE



CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, John A. Catimatidis, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this 15th day of July 2017

Notary Public

ANTHONY R. VALENTE
Notary Public, State of New York
No. 02VA6338361
Qualified in Kings County
Commission Expires 03/14/2020

United Metro Energy Corp
Name of submitting business

John A. Catimatidis
Print name

Signature

Chairman + CEO
Title

1 / 1
Date

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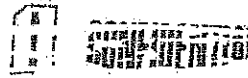
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President
TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
40512-07057-092

PRINCIPAL QUESTIONNAIRE FORM



All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name Fred Spivak
Date of birth _____
Home address _____
City/state/zip _____
Business address 500 Kingsland Avenue
City/state/zip Brooklyn, NY 11222
Telephone (718) 389-5800 x176
Other present address(es) N/A
City/state/zip _____
Telephone _____
List of other addresses and telephone numbers attached _____
2. Positions held in submitting business and starting date of each (check all applicable)
President 07/08/2016 Treasurer _____
Chairman of Board _____ Shareholder _____
Chief Exec. Officer _____ Secretary _____
Chief Financial Officer _____ Partner _____
Vice President _____
(Other) _____
3. Do you have an equity interest in the business submitting the questionnaire?
YES _____ NO X If Yes, provide details.
4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES _____ NO X If Yes, provide details.
5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire? YES _____ NO X If Yes, provide details.
6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer? YES _____ NO X If Yes, provide details.

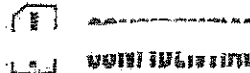
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OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK



FORMAL SEALED BID PROPOSAL
40512-07057-092

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7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:
- a. Been debarred by any government agency from entering into contracts with that agency? YES _____ NO X If Yes, provide details for each such instance.
 - b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause? YES _____ NO X If Yes, provide details for each such instance.
 - c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards? YES _____ NO X If Yes, provide details for each such instance.
 - d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract? YES _____ NO X If Yes, provide details for each such instance.
8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated? If "Yes", provide details for each such instance. (Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.) No
- a) Is there any felony charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - b) Is there any misdemeanor charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - c) Is there any administrative charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - d) In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? YES _____ NO X If Yes, provide details for each such conviction.
 - e) In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor? YES _____ NO X If Yes, provide details for each such conviction.
 - f) In the past 5 years, have you been found in violation of any administrative or statutory charges? YES _____ NO X If Yes, provide details for each such occurrence.

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TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK



FORMAL SEALED BID PROPOSAL
J512-07057-092

9. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5? YES ____ NO X If Yes, provide details for each such investigation.
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11. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES ____ NO X If Yes; provide details for each such instance.
12. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? YES ____ NO X If Yes, provide details for each such year.

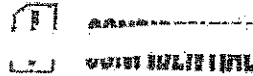
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I, Fred Spivak, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this 25 day of July 2017

Notary Public

ANTHONY F. VALENTE
Notary Public, State of New York
No. 02VA633351
Qualified in Kings County
Commission Expires 03/14/2020

United Metro Energy Corp
Name of submitting business

Fred Spivak
Print name

[Signature]
Signature

President
Title

7 / 25 / 17
Date

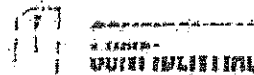
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COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name Albert Mariani, Jr.
Date of birth _____
Home address _____
City/state/zip _____
Business address 500 Kingsland Avenue
City/state/zip Brooklyn, NY 11211
Telephone (718) 389-5800 x163
Other present address(es) N/A
City/state/zip _____
Telephone _____
List of other addresses and telephone numbers attached _____

2. Positions held in submitting business and starting date of each (check all applicable)
President / / Treasurer 09/26/2011
Chairman of Board / / Shareholder / /
Chief Exec. Officer / / Secretary / /
Chief Financial Officer 09/26/2011 Partner / /
Vice President / /
(Other) _____

3. Do you have an equity interest in the business submitting the questionnaire?
YES ___ NO X If Yes, provide details.
4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES ___ NO X If Yes, provide details.
5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire? YES ___ NO X; If Yes, provide details.
6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer? YES ___ NO X If Yes, provide details.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

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TITLE



NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

- a. Been debarred by any government agency from entering into contracts with that agency?
YES _____ NO X If Yes, provide details for each such instance.
- b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause? YES _____ NO X If Yes, provide details for each such instance.
- c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards? YES _____ NO X If Yes, provide details for each such instance.
- d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract? YES _____ NO X If Yes, provide details for each such instance.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated? If "Yes", provide details for each such instance. (Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.)

- a) Is there any felony charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
- b) Is there any misdemeanor charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
- c) Is there any administrative charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
- d) In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? YES _____ NO X If Yes, provide details for each such conviction.
- e) In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor? YES _____ NO X If Yes, provide details for each such conviction.
- f) In the past 5 years, have you been found in violation of any administrative or statutory charges? YES _____ NO X If Yes, provide details for each such occurrence.

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TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK



CONFIDENTIAL
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FORMAL SEALED BID PROPOSAL
40512-07057-092

9. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5? YES _____ NO X If Yes, provide details for each such investigation.
10. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer? YES _____ NO X If Yes; provide details for each such investigation.
11. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES _____ NO X If Yes; provide details for each such instance.
12. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? YES _____ NO X If Yes, provide details for each such year.

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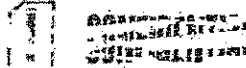
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BIDDER

President
TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
48812-57857-662




CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, Albert Marieni, Jr., being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

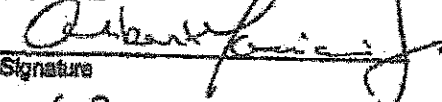
Sworn to before me this 24th day of July 2017



Notary Public

United Metro Energy Corp.
Name of submitting business

Albert Marieni, Jr.
Print name


Signature

CFO
Title

07, 28, 2017
Date

ALL BIDS MUST BE F.O.B. CERTIFICATION AND DELIVERED IN ENVELOPE UNLESS OTHERWISE SPECIFIED.

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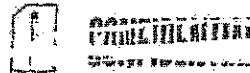
President

TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
40512-07057-092

PRINCIPAL QUESTIONNAIRE FORM



All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name Anthony F. Valente
Date of birth _____
Home address _____
City/state/zip _____
Business address 500 Kingland Avenue
City/state/zip Brooklyn, NY 11222
Telephone (718) 389-5800 x176
Other present address(es) N/A
City/state/zip _____
Telephone _____
List of other addresses and telephone numbers attached _____

2. Positions held in submitting business and starting date of each (check all applicable)

President / / / Treasurer / / /
Chairman of Board / / / Shareholder / / /
Chief Exec. Officer / / / Secretary 03/06/2013
Chief Financial Officer / / / Partner / / /
Vice President 03/06/2013 / / /
(Other) _____

3. Do you have an equity interest in the business submitting the questionnaire?
YES ___ NO X If Yes, provide details: _____
4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES ___ NO X If Yes, provide details: _____
5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire? YES ___ NO X; If Yes, provide details: _____
6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer? YES ___ NO X If Yes, provide details: _____

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COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
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NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:
- a. Been debarred by any government agency from entering into contracts with that agency? YES ____ NO X If Yes, provide details for each such instance.
 - b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause? YES ____ NO X If Yes, provide details for each such instance.
 - c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards? YES ____ NO X If Yes, provide details for each such instance.
 - d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract? YES ____ NO X If Yes, provide details for each such instance.
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- a) Is there any felony charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - b) Is there any misdemeanor charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - c) Is there any administrative charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - d) In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? YES ____ NO X If Yes, provide details for each such conviction.
 - e) In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor? YES ____ NO X If Yes, provide details for each such conviction.
 - f) In the past 5 years, have you been found in violation of any administrative or statutory charges? YES ____ NO X If Yes, provide details for each such occurrence.

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TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

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40512-07057-092

9. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5? YES ____ NO X If Yes, provide details for each such investigation.
10. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer? YES ____ NO X If Yes; provide details for each such investigation.
11. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES ____ NO X If Yes; provide details for each such instance.
12. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? YES ____ NO X If Yes, provide details for each such year.

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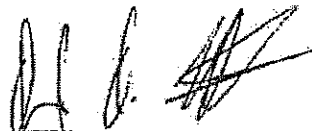


CERTIFICATION

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I, Anthony F. Valente, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this day of 20__

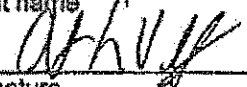


Notary Public

DAVID D. LEACRAFT
NOTARY PUBLIC-STATE OF NEW YORK
No. 011E6061330
Qualified in Nassau County
My Commission Expires July 15, 2019

United Metro Energy Corp
Name of submitting business

Anthony F. Valente
Print name



Signature

VP, Gen Counsel, Secretary
Title

07/25/2017
Date

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President
TITLE

Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

NOTE: All questions require a response, even if response is "none". No blanks.

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: July 25, 2017

1) Proposer's Legal Name: United Metro Energy Corp

2) Address of Place of Business: 500 Kingland Avenue, Brooklyn, NY 11212

List all other business addresses used within last five years:

NONE

3) Mailing Address (if different): N/A

Phone: 718-383-1400

Does the business own or rent its facilities? owns terminal, rents office space

4) Dun and Bradstreet number: 0788163163

5) Federal I.D. Number: 46-2112871

6) The proposer is a (check one): ☐ Sole Proprietorship ☐ Partnership ☒ Corporation ☐ Other (Describe) _____

7) Does this business share office space, staff, or equipment expenses with any other business? Yes ☐ No ☒ If Yes, please provide details: _____

8) Does this business control one or more other businesses? Yes ☒ No ☐ If Yes, please provide details: United Apollo Petroleum Transportation Corp. - wholly owned transportation subsidiary

9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business? Yes ☒ No ☐ If Yes, provide details: 100% of UMEC capital stock is owned by United Refining, Inc.

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COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
40512-07057-092

- 10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated? Yes ___ No X If Yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (if a contract). _____
- 11) Has the proposer, during the past seven years, been declared bankrupt? Yes ___ No X If Yes, state date, court jurisdiction, amount of liabilities and amount of assets _____
- 12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.
Yes ___ No X If Yes, provide details for each such investigation. _____
- 13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business. Yes ___ No X If Yes, provide details for each such investigation. _____
- 14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:
- a) Any felony charge pending? Yes ___ No X If Yes, provide details for each such charge. _____
- b) Any misdemeanor charge pending? Yes ___ No X If Yes, provide details for each such charge. _____
- c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? Yes ___ No X If Yes, provide details for each such conviction _____
- d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?
Yes ___ No X If Yes, provide details for each such conviction. _____

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TITLE

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions? Yes ___ No X If Yes, provide details for each such occurrence. _____

15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? Yes ___ No X; If Yes, provide details for each such instance. _____

16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? Yes ___ No X If Yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire. _____

Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

17) Conflict of Interest:

a) Please disclose any conflicts of interest as outlined below. **NOTE: If no conflicts exist, please expressly state "No conflict exists."**

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County. No conflict exists

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County. No conflict exists

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County. No conflict exists

b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.

UMBC would consider any procedures suggested by the County. None of officers have ever held a position in County government.

A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Should the proposer be other than an individual, the Proposal **MUST** include:

i) Date of formation;

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40512-07057-092

- ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner;
 - iii) Name, address and position of all officers and directors of the company;
 - iv) State of incorporation (if applicable);
 - v) The number of employees in the firm;
 - vi) Annual revenue of firm;
 - vii) Summary of relevant accomplishments
 - viii) Copies of all state and local licenses and permits.
- B. Indicate number of years in business.
- C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.
- D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

Company Metro North Railroad
Contact Person Anthony Holmes
Address 347 Madison Avenue
City/State New York, NY 10017
Telephone (212) 340-3242
Fax # (212) 340-3959
E-Mail Address Holmes@mnr.org

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OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
40512-07057-092

Company NYS Office of General Services
Contact Person James Patrick
Address Corning Tower, Empire State Plaza, 38th Fl.
City/State Albany, NY 12242
Telephone (518) 408-1026
Fax # None provided
E-Mail Address James.Patrick@ogrs.ny.gov

Company Eastern Suffolk BOCES
Contact Person Laurie Conley
Address James Hines Admin. Center, 201 Sunrise Highway
City/State Patchogue, NY 11772
Telephone (631) 687-3160
Fax # (631) 289-2327
E-Mail Address lconley@esboces.org

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CERTIFICATION

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I, Fred Spivak, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this 25th day of July 2017

Notary Public

Anthony F. Valente
Notary Public, State of New York
No. 02VA6338351
Qualified in Kings County
Commission Expires 03/14/2020

Name of submitting business: United Metro Energy Corp.

By: Fred Spivak

Print name

[Signature]
Signature

President
Title

7/25/17
Date

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[Signature]
BIDDER

President
TITLE

Page 1 of 4

COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM

1. Name of the Entity: United Metro Energy Corp
Address: 500 Kingsland Avenue
City, State and Zip Code: Brooklyn, NY 11222
2. Entity's Vendor Identification Number: _____
3. Type of Business: _____ Public Corp _____ Partnership _____ Joint Venture
_____ Ltd. Liability Co ☒ Closely Held Corp _____ Other (specify) _____
4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):
John A. Catsimatidis; Chairman & CEO 800 Third Avenue NY, NY 10022
Fred Spirale; President; 500 Kingsland Ave. Brooklyn, NY 11222
Albert Mariani, Jr.; CFO; 500 Kingsland Ave. Brooklyn, NY 11222
Anthony F. Valente; VP & Gen Counsel 500 Kingsland Avenue Brooklyn, NY 11222
5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation include a copy of the 10K in lieu of completing this section.
United Refining, Inc. owns 100% of the capital stock of H.b. Idco. John A. Catsimatidis is the beneficial owner of UMEC

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Page 2 of 4

6. List all affiliated and related companies and their relationship to the firm entered on line 1, above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

United Apollo Petroleum Transportation Corp.
a wholly owned subsidiary of United Metro
Energy Corp. United Apollo owns and operated a
fleet of approx 50 trucks and performs all deliveries
for United Metro

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements, or to otherwise engage in lobbying as the term is defined herein. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

(a) Name, title, business address and telephone number of lobbyist(s):

None

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14

TITLE

Page 3 of 4

(b) Describe lobbying activity of each lobbyist. See page 4 of 4 for a complete description of lobbying activities.

None

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

None

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Dated: 7/25/17

Signed: [Signature]
Print Name: Fred Spivak
Title: President

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

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[Signature]
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President
TITLE

Page 4 of 4:

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including by not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

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TITLE



500 Kingsland Avenue
Brooklyn, NY 11222

PHONE **718 383 1400**
FAX **718 383 6586**

July 26, 2017

Via Hand Delivery

County of Nassau
Office of Purchasing
1 West Street, North Entrance
Mineola, New York 11501
Attention: Timothy Funaro

Re: Bid No.: 40512-07057-092
Bid Title: No 2 Heating Oil and Diesel
Submission on Behalf of United Metro Energy Corp.

Dear Mr. Funaro:

Please accept the following submission on behalf of United Metro Energy Corp. ("UMEC") as a response to additional information requested by Nassau County.

In response to Section A of the Business History Form:

- (i) Date of formation: February 20, 2013 (See attached incorporation documents)
- (ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner: United Refining, Inc. owns 100% of the capital stock of United Metro Energy Corp. John A. Catsimatidis is the sole beneficial owner of United Refining, Inc. The business address of United Refining, Inc. and John A. Catsimatidis is 800 Third Avenue, 5th Floor, New York NY 10022.
- (iii) Name, address and position of all officers and directors of the company: See each Principal Questionnaire attached hereto. John A. Catsimatidis is the sole director. See attached principal questionnaires for a list of the officers of UMEC.
- (iv) State of incorporation (if applicable): Delaware
- (v) The number of employees in the firm: 116
- (vi) Annual revenue of firm: \$400 million+

www.UnitedMetroEnergy.com

BROOKLYN

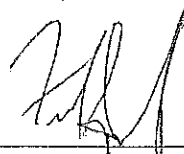
CALVERTON

RIVERHEAD

- (vii) Summary of relevant accomplishments. In March 2013, UMEC acquired substantially all of the assets of Metro Fuel Oil Corp and Metro Terminals Corp. In so doing and having retained most of the personnel, UMEC acquired all of the experience and expertise of companies which had been supplying Federal, state and local governmental agencies with heating oil, ultra low sulfur diesel and gasoline for over 30 years. Since March 2013, UMEC has been awarded several state and federal contracts for ULSD, heating oil and gasoline supply. As a condition of the awards, UMEC was required to satisfy stringent pre-award criteria for fuel awards for NY State (NYSOGS), Department of Defense, Brookhaven National Labs, Metro North Railroad and BOCES (Nassau, Eastern Suffolk and Western Suffolk). Those contracts have been executed and administered extremely well. In addition, UMEC supplies several bus companies and transportation concern with ULSD and numerous large residential complexes with heating oil.
- (viii) Copies of all state and local licenses and permits. Attached are copies of all licenses relevant to the performance of this bid.

Should you have any questions, please feel free to contact me at 718-383-1400 Ext. 104.


Yours truly,



Fred Spivak, President

AFV:jt

FORMAL SEALED BID PROPOSAL

	STATE OF NEW YORK	BID NUMBER 40512-07057-092
	COUNTY OF NASSAU	Dated: Ad. 06/22/2017
	BIDS WILL BE RECEIVED AND OPENED AT OFFICE OF PURCHASING, 1 WEST STREET, NORTH ENTRANCE, MINEOLA, NEW YORK 11501 OFFICE HOURS 9 AM - NOON & 1 PM - 4:45 PM	
BUYER: Timothy Funaro	Telephone (516) 571-7720 E-mail tfunaro@nassaucountyny.gov	BID OPENING DATE July, 05, 2017 11:00 A.M. E.D.S.T. REQUISITION NUMBER 5747130 1102 23 707

PREPARE YOUR BID ON THIS FORM USING BLACK INK OR TYPEWRITER

BID TITLE: No. 2 Heating Oil and Diesel

• ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED

THE UNDERSIGNED BIDDER AFFIRMS AND DECLARES THAT HE/SHE HAS CAREFULLY EXAMINED THE ADVERTISED INVITATION FOR BIDS, THE BID TERMS AND CONDITIONS, AND DETAILED SPECIFICATIONS, AND CERTIFIES THAT THIS BID IS SIGNED WITH FULL KNOWLEDGE AND ACCEPTANCE OF ALL THE PROVISIONS THEREOF AND OFFERS AND AGREES, IF THIS BID IS ACCEPTED WITHIN NINETY (90) DAYS FROM THE BID OPENING DATE TO FURNISH ANY OR ALL THE ITEMS UPON WHICH PRICES ARE HEREINAFTER QUOTED IN THE QUANTITY AND AT THE PRICES BID.

CASH DISCOUNT OF _____ PERCENT WILL BE ALLOWED FOR PROMPT PAYMENT WITHIN 20 BUSINESS DAYS.

THE BIDDER CERTIFIES THAT: (A) THE BID HAS BEEN ARRIVED AT BY THE BIDDER INDEPENDENTLY AND HAS BEEN SUBMITTED WITHOUT COLLUSION WITH ANY OTHER VENDOR OF MATERIALS, SUPPLIES OR EQUIPMENT OF THE TYPE DESCRIBED IN INVITATION FOR BIDS, AND (B) THE CONTENTS OF THE BID HAVE NOT BEEN COMMUNICATED BY THE BIDDER, NOR, TO ITS BEST KNOWLEDGE AND BELIEF, BY ANY OF ITS EMPLOYEES OR AGENTS, TO ANY PERSON NOT AN EMPLOYEE OR AGENT OF BIDDER OR ITS SURETY ON ANY BOND FURNISHED HERewith PRIOR TO OFFICIAL OPENING OF THE BID.

DELIVERY MADE TO: Various Nassau County agencies	GUARANTEED DELIVERY DATE 2 DAYS AFTER RECEIPT OF ORDER EMPLOYERS FEDERAL TAX ID NUMBER 46-2112871
---	--

TOLL FREE TELEPHONE NUMBER:

BIDS MUST BE SIGNED BY PROPRIETOR, PARTNER OR OFFICER AUTHORIZED TO SIGN FOR CORPORATION

NAME OF BIDDER United Metro Energy Corp			
ADDRESS 500 Kingland Avenue			
CITY Brooklyn	STATE NY	ZIP CODE 11211	TELEPHONE (718) 383-1400
SIGNATURE OF AUTHORIZED INDIVIDUAL <i>[Signature]</i>		PRINT OR TYPE NAME OF SIGNER AND TITLE Fred Spivak, President	

IN EXECUTING THIS BID, THE BIDDER WARRANTS THAT THE PRICES SUBMITTED HEREIN ARE NOT HIGHER THAN THOSE OFFERED TO ANY GOVERNMENTAL OR COMMERCIAL CONSUMER FOR LIKE DELIVERIES. THE PRICES HEREIN SHOULD NOT INCLUDE ANY FEDERAL EXCISE TAXES OR SALES TAXES IMPOSE BY ANY STATE OR MUNICIPAL GOVERNMENT. SUCH TAXES, IF INCLUDED, MUST BE DEDUCTED BY THE BIDDER WHEN SUBMITTING BID. BIDDERS ARE REQUESTED TO ALSO READ THE TERMS AND CONDITIONS.

BID TERMS AND CONDITIONS

- Bids on equipment must be on standard new equipment, latest model, except as otherwise specifically stated in proposal or detailed specification. Where any part of nominal appurtenances of equipment is not described, it shall be understood that all equipment and appurtenances which are usually provided in the manufacturer's stock model shall be furnished.
- Bids on materials and supplies must be for new items except as otherwise specifically stated in bid or detailed specifications.
- Bidder declares that the bid is made without any connection with any other Bidder, submitting a bid for the same items, and is in all respects fair and without collusion or fraud.
- PRICES The provisions of the New York State Fair Trade Law (Fed-Crawford Act) and the federal price discrimination law (Robinson-Patman Act) do not apply to purchases made by the County.
- SURETY In the event that an award is made hereunder, The Director of Purchase reserves the right to request successful bidders to post, within one week, security for faithful performance, with the understanding that the whole or any part thereof may be used by the County of Nassau to supply any deficiency that may arise from any default on the part of the Bidder. Such security must meet all the requirements of the County Attorney and be approved by the County Attorney.

6. **SAMPLES** Samples, when required, must be submitted strictly in accordance with instructions; otherwise bid may not be considered. If samples are requested subsequent to bid opening they shall be delivered within five (5) days of the request for bid to have consideration. Samples must be furnished free of charge and must be accompanied by descriptive memorandum invoices indicating if the Bidder desires their return; also specifying the address to which they are to be returned, provided they have not been used or made useless by tests. Award samples may be held for comparison with deliveries. Samples will be returned at the Bidders risk and expense.
7. **Award** The Director, Office of Purchasing reserves the right before making award to make investigations as to whether or not the items, qualifications or facilities offered by the Bidder meet the requirements set forth herein and are sample and sufficient to insure the proper performance in the event of award. The Bidder must be prepared, if requested by the Director, to present evidence of experience, ability and financial standing, as well as a statement as to plant, machinery and capacity of the manufacturer for the production and distribution of the material on which he is bidding. Upon request of the Director, successful bidder shall file certification from the manufacturer relative to authorization, delivery, service and guarantees. If it is found that the conditions of the bids are not complied with or that articles or equipment proposed to be furnished do not meet the requirements called for, or that the qualification, financial standing or facilities are not satisfactory, the Director may reject such bids. It is distinctly understood, however, that nothing in the foregoing shall mean or imply that it is obligatory upon the Director to make any examinations before award; and it is further understood that, if such examination is made, it in no way relieves the Bidder from fulfilling all requirements and conditions of the bid.
8. **Awards** will be made to the lowest responsible Bidder. Cash discounts will not be a factor in determining awards, except in the bids. Consideration will be given to the reliability of the Bidder, the quantities of the materials, equipment or supplies to be furnished, their conformity with the specifications, the purpose for which required and the terms of delivery.
9. The Director reserves the right to reject and all bids in whole or in part and to waive technical defects, irregularities and omissions if in his judgment the best interests of the County will be served.
10. Unless otherwise indicated herein, the Director reserves the right to make award by items, by classes, by group of items, or as a whole.
11. **DELIVERIES** Upon failure of the Vendor to deliver within the time specified, or within reasonable time as interpreted by the Director, or failure to make replacement of rejected articles, when so requested immediately or as directed by the Director, the Director may purchase from other sources to take the place of the item rejected or not delivered. The Director reserves the right to authorize immediate purchase from other sources against rejections on any order when necessary. On all such purchases the Vendor agrees to promptly reimburse the County for excess cost occasioned by such purchases. Should the cost be less, the Vendor shall have no claim to the difference. Such purchases will be deducted from order quantity.
12. An order may be canceled at the Vendors expense upon nonperformance. Failure of the Vendor to furnish additional surety within ten (10) days from date of requested shall be sufficient cause for the cancellation of the order.
13. When in the determination of the Director, the articles or equipment delivered fail to meet County specifications or, if in the determination of the Director, the Vendor consistently fails to deliver as ordered, the Director reserves the right, to cancel the order and purchase the balance from other sources at Vendor expense.
14. Delivery must be made as ordered and in accordance with the bid. If delivery instructions do not appear on order. It will be interpreted to mean prompt delivery. The decision of the Director as to reasonable compliance with delivery terms shall be final. Burden of proof of delay in receipt of order shall rest with the Vendor.
15. The County Agencies will not schedule any deliveries for Saturdays, Sundays or Legal Holiday, except commodities required for daily consumption or where the delivery is an emergency, a replacement, or is overdue, in which event the convenience of the Agency will govern.
16. Supplies shall be securely and properly packed for shipment, according to accepted commercial practice, without extra charge for packing cases, recls, bailing or sacks, the containers to remain the property of the agency unless definitely stated otherwise in the bid.
17. The Vendor shall be responsible for delivery of supplies in good condition at point of destination. The Vendor shall file all claims with carrier for breakage, imperfections and other losses, which will be deducted from invoices. The receiving Agency will note for the benefit of Vendor when packages are not received in good conditions.
18. All supplies which are customarily labeled or identified must have securely affixed thereto the original un-mutilated label or marking of the manufacturer.
19. Billings for deliveries must be rendered on County claim forms.
20. Furniture, machines, and other equipment must be delivered, installed and set in place as directed, ready for use unless otherwise specified.
21. Deliveries are subject to reweighing at destination by the County and payment will be made on the basis of materials delivered. Normal shrinkage will be allowed in such instances where shrinkage is possible. Short weight shall be sufficient cause for cancellation of order at Vendors expense.
22. **GUARANTEES BY BIDDER** Bidder hereby guarantees: (a) To save the County, its agents and employees harmless from liability of any nature or kind for the use of any copyrighted or un-copyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance hereof of which the Bidder is not the Patentee, assignee or licensee, and to defend any action brought against the County in the name of the County and under the direction of the County Attorney at the sole cost of the Bidder or in the sole option of the Director to pay the cost of such defense to the County. (b) His products against defective material or workmanship and to repair any damages or marring occasioned in transit.
(c) To furnish adequate protection from damage for all work and to repair damages of any kind, for which he or his workmen are responsible, to the building or equipment, to this own work or the work of other Vendors, or in the opinion of the Director to pay for the same by deductions in payments due under this contract.
(d) To pay for all permits, licenses and fees and give all notices and comply with all laws ordinances, rules and regulations of the city, village or town in which the installation has to be made, and of the County of Nassau and the State of New York.
(e) To carry proper insurance in the opinion of the Director, and approved by the County Attorney to protect the County from loss in case of accident, fire and theft.
(f) That he will keep himself fully informed, of all municipal ordinances and regulations, state and national laws in any manner affecting the work or goods herein specified, and any extra work contracted for by him, and shall at all times observe and comply with said ordinances, laws and regulations, including all provisions of the Workmen Compensation and Labor Laws, and shall indemnify and save harmless the County of Nassau and the Nassau County Legislature from loss and liability upon any and all Claims on account of any physical injury to persons, including death, or damage to property and from all cost and expenses in suits which may be brought against the same on account of such injuries irrespective of the actual cost of the same and irrespective of whether the same shall have been due to the negligence of the Bidder or his agents.
(g) That the items furnished shall conform to all the provisions of the bid and this warranty shall survive acceptance, or use of any material so furnished.
(h) That all deliveries will not be inferior to the accepted bid sample.
23. **LABOR LAWS and ANTIDISCRIMINATION.** Upon the Vendor acceptance hereof, the vendor agrees to comply with Article IX, Section 2 C of the Constitution of the State of New York, Section 220 220a, 220b, 220d, 220e and 230 of the Labor Law, Section 5 and 12 of the Lien Law, Article 2 of the Uniform Commercial Code, Sections 108 and 109 as well as Article 18 of the General Municipal Law, Section 2218 of the County Government Law of Nassau County, Section 224.2 of the Nassau County Administrative Code, the provisions of the anti-Discrimination Order of Nassau County, and the vendor shall keep himself fully informed of all additional municipal ordinances and regulations, State and National Laws in any manner affecting this order and the goods or services delivered or rendered or to be delivered or rendered there under, and shall at all times observe and comply with said ordinances, laws and regulations at his sole cost and expense.
24. **ASSIGNMENT.** The contractor is hereby prohibited from assigned, transferring, conveying, subletting or otherwise disposing of this contract or 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 officer, board or agency awarding the contract.
25. The County of Nassau will not be responsible nor liable for any shipment or delivery of any materials, supplies, or equipment without it's express written instructions or valid Purchase Order.
26. No agreements, changes, modifications or alterations shall be deemed effective nor shall the same be binding upon the County unless in writing and signed by the Director, Office of Purchasing or his duly designated representative.

Director, Office of Purchasing

DISCLOSURE STATEMENT

THE NASSAU COUNTY LEGISLATURE REQUIRES THE FOLLOWING INFORMATION PRIOR TO CONSIDERATION FOR AN AWARD.

Bidders Name: United Metro Energy Corp.
Address: 500 Kingsland Avenue, Brooklyn, NY 11222
Telephone No: (718) 383-1400 Fax No: (718) 383-9565

1. State Whether: A Corporation Corporation
Individual _____
Partnership _____

GUIDELINES FOR DISCLOSURE

THE NASSAU COUNTY LEGISLATURE REQUIRES THE NAMES AND HOME* ADDRESSES OF ALL PRINCIPALS. DISCLOSURE MUST BE PROVIDED AS INDICATED BY TYPE OF OWNERSHIP. (PLEASE LIST ALL REQUIRED INFORMATION ON A SEPARATE SHEET AND ATTACH TO BID.)

- 1) Sole Proprietorship/Individual. The Name and Home Address of the Sole Proprietorship/Individual.
- 2) Closely Held Corporation. The Name and Home Addresses of all Shareholders, Officers and Directors.
- 3) Publicly Traded Corporation. Only the page(s) of the SEC FORM 10-K setting forth the name of all officers and directors.
- 4) Not for Profit Corporation. The Names and Home Addresses of all members, Officer and Directors.
- 5) Partnership. The Names and Home Address of all General and Limited Partners.
- 6) Limited Liability Company. The Names and Home Addresses of all Members.
- 7) Limited Liability Partnership. The Name and Home Addresses of all Members.
- 8) Joint Venture. The Names and Home Addresses of all Joint Ventures.

NOTE: IF ANY ENTITY IS TIERED, YOU MUST ALSO LIST ALL INDIVIDUAL PRINCIPALS OF THE TIERED ENTITY.
*IN THE CASE OF PUBLICLY TRADED CORPORATIONS THE SEC FORM 10K SUFFICES AND HOME ADDRESSES ARE NOT NECESSARY.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE

[Signature]
BIDDER

President
TITLE

QUALIFICATION STATEMENT

BIDDER'S NAME:

United Metro Energy Corp

ADDRESS:

500 Kingland Avenue, Brooklyn, NY 11222

1. STATE WHETHER: CORPORATION ☒ INDIVIDUAL ☐ PARTNERSHIP ☐

2. IF A CORPORATION OR PARTNERSHIP LIST NAME(S) AND ADDRESS(S) OF OFFICER(S) OR MEMBER(S)
PRESIDENT Fred Spivak

VICE PRESIDENT

Anthony F. Valente

SECRETARY

Anthony F. Valente

TREASURER

Albert Mariani, Jr.

3. HAVE YOU FILED A QUALIFICATION STATEMENT WITH THE COUNTY OF NASSAU? No
IF SO WHEN?

4. HOW MANY YEARS HAS YOUR ORGANIZATION BEEN IN BUSINESS UNDER YOUR PRESENT NAME? 4+

5. HAVE YOU, OR YOUR FIRM, EVER FAILED TO COMPLETE ANY WORK AWARDED TO YOU? No
IF SO, WHERE AND WHY?

6. IN WHAT OTHER LINES OF BUSINESS ARE YOU OR YOUR FIRM INTERESTED? Heating oil,
diesel, gasoline, natural gas

7. WHAT IS THE EXPERIENCE OF THE PRINCIPAL INDIVIDUALS OF YOUR ORGANIZATION RELATING TO THE SUBJECT OF THIS BID?

INDIVIDUALS NAME	PRESENT POSITION	YEARS OF EXPERIENCE	MAGNITUDE AND TYPE OF WORK	IN WHAT CAPACITY
<u>Robert Leary</u>	<u>Fuel Supply & Distrib.</u>	<u>30</u>	<u>responsible for ensuring terminal is fully supplied</u>	<u>Director</u>
<u>Tony Peretta</u>	<u>GM Operations</u>	<u>40</u>	<u>Supervisor terminal workers customer service and transportation</u>	<u>Manager</u>

8. IN WHAT MANNER HAVE YOU INSPECTED THIS PROPOSED WORK? EXPLAIN IN DETAIL

UMEC has not had sufficient time to schedule site visits. However,
UMEC has extensive experience, Nassau County, and government
agencies in the course of performing NYSDOT, Nassau + Suffolk BOCES
contracts

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[Signature]
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President
TITLE

9. THE CONTRACT, IF AWARDED TO YOU OR YOUR FIRM, WILL HAVE THE PERSONAL SUPERVISION OF WHOM? GIVE NAME AND PRESENT POSITION

Robert Leary - Director Fuel Supply & Distribution; Anthony Peretta - General Manager Operations; Edward Abreu - Cust. Serv. Manager

10. BIDDERS ARE REQUIRED TO COMPLETE THIS FORM PROVIDING THREE (3) REFERENCES OF PAST PERFORMANCE. REFERENCES SHOULD INVOLVE PROJECTS AND/OR SERVICE SITUATIONS OF SIMILAR SIZE AND SCOPE TO THIS BID. REFERENCES MUST HAVE HAD DEALING WITH THE BIDDER WITHIN THE LAST THIRTY-SIX (36) MONTHS. THE COUNTY RESERVES THE RIGHT TO CONTACT ANY OR ALL OF THE REFERENCES SUPPLIED FOR AN EVALUATION OF PAST PERFORMANCE IN ORDER TO ESTABLISH THE RESPONSIBILITY OF THE BIDDER BEFORE THE ACTUAL AWARD OF THE BID AND/OR CONTRACT. COMPLETION OF THE REFERENCE FORM IS REQUIRED.

NASSAU COUNTY (AND ANY OF ITS AGENCIES) MAY BE LISTED AS AN ADDITIONAL REFERENCE, BUT MAY NOT BE SUBSTITUTED FOR ANY OF THE THREE REQUIRED REFERENCES.

1. REFERENCE'S NAME: Metro North Railroad
ADDRESS: 2 Broadway, NY, NY 10004 or
347 Madison Avenue, NY, NY 10017
TELEPHONE: 212-340-3242 CONTACT PERSON Anthony Holmes
CONTRACT DATE: November 7, 2013 to present

2. REFERENCE'S NAME: NYS Office of General Services
ADDRESS: Corning Tower, Empire State Plaza, 38th Fl.
Albany, N.Y. 12242
TELEPHONE: (518) 408-1026 CONTACT PERSON James Patrick
CONTRACT DATE: November 21, 2014 to August 30, 2018

3. REFERENCE'S NAME: Eastern Suffolk BOCES
ADDRESS: James Hines Administration Center
101 Sunrise Highway, Patchogue, NY 11772
TELEPHONE: 631-687-3160 CONTACT PERSON Laurie Conley
CONTRACT DATE: Current contract May 2016 to present
UMEC has had this contract since 2013

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USE SEPARATE PAGE IF ADDITIONAL SPACE IS NEEDED.

I certify that all the statements contained in this document are true, complete and correct to the best of my knowledge and belief and are made in good faith, including data contained in the Organization's Relevant Experience. A false certification or failure to disclose information shall be grounds for disqualification or termination of any award.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

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Appendix EE

EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN

The provisions of this Appendix EE are hereby made a part of the document to which it is attached.

The Contractor shall comply with all federal, State and local statutory and constitutional anti-discrimination provisions. In addition, Local Law No. 14-2002, entitled "Participation by Minority Group Members and Women in Nassau County Contracts," governs all County Contracts as defined by such title and solicitations for bids or proposals for County Contracts. In accordance with Local Law 14-2002:

(a) The Contractor shall not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status in recruitment, employment, job assignments, promotions, upgradings, demotions, transfers, layoffs, terminations, and rates of pay or other forms of compensation. The Contractor will undertake or continue existing programs related to recruitment, employment, job assignments, promotions, upgradings, transfers, and rates of pay or other forms of compensation to ensure that minority group members and women are afforded equal employment opportunities without discrimination.

(b) At the request of the County contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, union, or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability, or marital status and that such employment agency, labor union, or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein.

(c) The Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the County Contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

(d) The Contractor shall make Best Efforts to solicit active participation by certified minority or women-owned business enterprises ("Certified M/WBEs") as defined in Section 101 of Local Law No. 14-2002, including the granting of Subcontracts.

(e) The Contractor shall, in its advertisements and solicitations for Subcontractors, indicate its interest in receiving bids from Certified M/WBEs and the requirement that Subcontractors must be equal opportunity employers.

(f) Contractors must notify and receive approval from the respective Department Head prior to issuing any Subcontracts and, at the time of requesting such authorization, must submit a signed Best Efforts Checklist.

(g) Contractors for projects under the supervision of the County's Department of Public Works shall also submit a utilization plan listing all proposed Subcontractors so that, to the greatest extent feasible, all Subcontractors will be approved prior to commencement of work. Any additions or changes to the list of subcontractors under the utilization plan shall be approved by the Commissioner of the Department of Public Works when made. A copy of the utilization plan any additions or changes thereto shall be submitted by the Contractor to the Office of Minority Affairs simultaneously with the submission to the Department of Public Works.

(h) At any time after Subcontractor approval has been requested and prior to being granted, the contracting agency may require the Contractor to submit Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women-owned Business Enterprises. In addition, the contracting agency may require the Contractor to submit such documentation at any time after Subcontractor approval when the contracting agency has reasonable cause to believe that the existing Best Efforts Checklist may be inaccurate. Within ten working days (10) of any such request by the contracting agency, the Contractor must submit Documentation.

(i) In the case where a request is made by the contracting agency or a Deputy County Executive acting on behalf of the contracting agency, the Contractor must, within two (2) working days of such request, submit evidence to demonstrate that it employed Best Efforts to obtain Certified M/WBE participation through proper documentation.

(j) Award of a County Contract alone shall not be deemed or interpreted as approval of all Contractor's Subcontracts and Contractor's fulfillment of Best Efforts to obtain participation by Certified M/WBEs.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

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(k) A Contractor shall maintain Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women-owned Business Enterprises for a period of six (6) years. Failure to maintain such records shall be deemed failure to make Best Efforts to comply with this Appendix EE, evidence of false certification as M/WBE compliant or considered breach of the County Contract.

(l) The Contractor shall be bound by the provisions of Section 109 of Local Law No. 14-2002 providing for enforcement of violations as follows:

- a. Upon receipt by the Executive Director of a complaint from a contracting agency that a County Contractor has failed to comply with the provisions of Local Law No. 14-2002, this Appendix EE or any other contractual provisions included in furtherance of Local Law No. 14-2002, the Executive Director will try to resolve the matter.
- b. If efforts to resolve such matter to the satisfaction of all parties are unsuccessful, the Executive Director shall refer the matter, within thirty days (30) of receipt of the complaint, to the American Arbitration Association for proceeding thereon.
- c. Upon conclusion of the arbitration proceedings, the arbitrator shall submit to the Executive Director his recommendations regarding the imposition of sanctions, fines or penalties. The Executive Director shall either (i) adopt the recommendation of the arbitrator (ii) determine that no sanctions, fines or penalties should be imposed or (iii) modify the recommendation of the arbitrator, provided that such modification shall not expand upon any sanction recommended or impose any new sanction, or increase the amount of any recommended fine or penalty. The Executive Director, within ten days (10) of receipt of the arbitrators award and recommendations, shall file a determination of such matter and shall cause a copy of such determination to be served upon the respondent by personal service or by certified mail return receipt requested. The award of the arbitrator, and the fines and penalties imposed by the Executive Director, shall be final determinations and may only be vacated or modified as provided in the civil practice law and rules ("CPLR").

(m) The contractor shall provide contracting agency with information regarding all subcontracts awarded under any County Contract, including the amount of compensation paid to each Subcontractor and shall complete all forms provided by the Executive Director or the Department Head relating to subcontractor utilization and efforts to obtain M/WBE participation..

Failure to comply with provisions (a) through (m) above, as ultimately determined by the Executive Director, shall be a material breach of the contract constituting grounds for immediate termination. Once a final determination of failure to comply has been reached by the Executive Director, the determination of whether to terminate a contract shall rest with the Deputy County Executive with oversight responsibility for the contracting agency.

Provisions (a), (b) and (c) shall not be binding upon Contractors or Subcontractors in the performance of work or the provision of services or any other activity that are unrelated, separate, or distinct from the County Contract as expressed by its terms.

The requirements of the provisions (a), (b) and (c) shall not apply to any employment or application for employment outside of this County or solicitations or advertisements therefore or any existing programs of affirmative action regarding employment outside of this County and the effect of contract provisions required by these provisions (a), (b) and (c) shall be so limited.

The Contractor shall include provisions (a), (b) and (c) in every Subcontract in such manner that these provisions shall be binding upon each Subcontractor as to work in connection with the County Contract.

As used in this Appendix EE the term "Best Efforts Checklist" shall mean a list signed by the Contractor, listing the procedures it has undertaken to procure Subcontractors in accordance with this Appendix EE.

As used in this Appendix EE the term "County Contract" shall mean (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of twenty-five thousand dollars (\$25,000), whereby a County contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the County; or (ii) a written agreement in excess of one hundred thousand dollars (\$100,000), whereby a County contracting agency is committed to expend or does expend funds for the acquisition,

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construction, demolition, replacement, major repair or renovation of real property and improvements thereon. However, the term "County Contract" does not include agreements or orders for the following services: banking services, insurance policies or contracts, or contracts with a County contracting agency for the sale of bonds, notes or other securities.

As used in this Appendix EE the term "County Contractor" means an individual, business enterprise, including sole proprietorship, partnership, corporation, not-for-profit corporation, or any other person or entity other than the County, whether a contractor, licensor, licensee or any other party, that is (i) a party to a County Contract, (ii) a bidder in connection with the award of a County Contract, or (iii) a proposed party to a County Contract, but shall not include any Subcontractor.

As used in this Appendix EE the term "County Contractor" shall mean a person or firm who will manage and be responsible for an entire contracted project.

As used in this Appendix EE "Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women-owned Business Enterprises" shall include, but is not limited to the following:

- a. Proof of having advertised for bids, where appropriate, in minority publications, trade newspapers/notices and magazines, trade and union publications, and publications of general circulation in Nassau County and surrounding areas or having verbally solicited M/WBEs whom the County Contractor reasonably believed might have the qualifications to do the work. A copy of the advertisement, if used, shall be included to demonstrate that it contained language indicating that the County Contractor welcomed bids and quotes from M/WBE Subcontractors. In addition, proof of the date(s) any such advertisements appeared must be included in the Best Effort Documentation. If verbal solicitation is used, a County Contractor's affidavit with a notary's signature and stamp shall be required as part of the documentation.
- b. Proof of having provided reasonable time for M/WBE Subcontractors to respond to bid opportunities according to industry norms and standards. A chart outlining the schedule/time frame used to obtain bids from M/WBEs is suggested to be included with the Best Effort Documentation
- c. Proof or affidavit of follow-up of telephone calls with potential M/WBE subcontractors encouraging their participation. Telephone logs indicating such action can be included with the Best Effort Documentation
- d. Proof or affidavit that M/WBE Subcontractors were allowed to review bid specifications, blue prints and all other bid/RFP related items at no charge to the M/WBEs, other than reasonable documentation costs incurred by the County Contractor that are passed onto the M/WBE.
- e. Proof or affidavit that sufficient time prior to making award was allowed for M/WBEs to participate effectively, to the extent practicable given the timeframe of the County Contract.
- f. Proof or affidavit that negotiations were held in Best Efforts with interested M/WBEs, and that M/WBEs were not rejected as unqualified or unacceptable without sound business reasons based on (1) a thorough investigation of M/WBE qualifications and capabilities reviewed against industry custom and standards and (2) cost of performance. The basis for rejecting any M/WBE deemed unqualified by the County Contractor shall be included in the Best Effort Documentation
- g. If an M/WBE is rejected based on cost, the County Contractor must submit a list of all sub-bidders for each item of work solicited and their bid prices for the work.
- h. The conditions of performance expected of Subcontractors by the County Contractor must also be included with the Best Effort Documentation
- i. County Contractors may include any other type of documentation they feel necessary to further demonstrate their Best Efforts regarding their bid documents.

As used in this Appendix EE the term "Executive Director" shall mean the Executive Director of the Nassau County Office of Minority Affairs; provided, however, that Executive Director shall include a designee of the Executive Director except in the case of final determinations issued pursuant to Section (a) through (l) of these rules.

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As used in this Appendix EE the term "Subcontract" shall mean an agreement consisting of part or parts of the contracted work of the County Contractor.

As used in this Appendix EE, the term "Subcontractor" shall mean a person or firm who performs part or parts of the contracted work of a prime contractor providing services, including construction services, to the County pursuant to a county contract. Subcontractor shall include a person or firm that provides labor, professional or other services, materials or supplies to a prime contractor that are necessary for the prime contractor to fulfill its obligations to provide services to the County pursuant to a county contract. Subcontractor shall not include a supplier of materials to a contractor who has contracted to provide goods but no services to the County, nor a supplier of incidental materials to a contractor, such as office supplies, tools and other items of nominal cost that are utilized in the performance of a service contract.

Provisions requiring contractors to retain or submit documentation of best efforts to utilize certified subcontractors and requiring Department head approval prior to subcontracting shall not apply to inter-governmental agreements. In addition, the tracking of expenditures of County dollars by not-for-profit corporations, other municipalities, States, or the federal government is not required.

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INDEMNIFICATION:

Contractor agrees to indemnify and hold harmless County and its agents, officers and employees, from and against any and all losses, costs, expenses (including attorneys' fees and disbursements), damages and liabilities, arising out of or in connection with any acts or omissions of Contractor, its officers, agents or employees, provided, however, that Contractor shall not be responsible for that portion, if any, of a loss that is caused by the negligence of the County; and provided, further, that Contractor shall not be liable for consequential, indirect or special damages. Contractor shall, at County's demand and at County's direction, defend at its own risk and expense any and all suits, actions or legal proceedings which may be brought against County, its agents, officers or employees in connection with a loss for which Contractor is responsible under this paragraph.

DEFINITIONS:

- The term "County" as used herein, shall be deemed as reference to the County of Nassau, State of New York.
- The term "Contractor" as used herein, shall be deemed as reference to the successful bidder, vendor, proprietor, partnership, or corporation receiving an award to perform any or all of the services specified herein in accordance with the terms of this agreement.
- The term "agency" as used herein, shall be deemed as the department, division, bureau, office, agency or other Nassau County establishment authorized to receive the service specified herein.
- The term "Director" as used herein, shall be deemed as reference to the Director of the Office of Purchasing.
- The term "Blanket Order" as used herein, shall be deemed as the multiple use pricing agreement as a result of this bid.
- The term "Purchase Order" as used herein, shall be deemed as the single use pricing agreement as a result of this bid.
- The term "complete" as written in this bid must include all equipment, delivery and installation of same in its entirety, as listed in the contract documents, and is to include all supervision, labor, materials, plant equipment, transportation, testing, (if required) incidentals, and other facilities as necessary and/or required to execute all the work as herein specified, or as incidentally required to provide a complete operating installation.

NOTE: INSERT FEDERAL IDENTIFICATION NUMBER IN SPACE PROVIDED ON PAGE 1.

IMPORTANT

PRICE MUST BE INSERTED WITH TYPEWRITER OR INK. BIDS MUST BE SIGNED IN INK. TO ASSURE OFFER REACHING IN TIME, **YOU ARE URGED TO MAIL YOUR FORMAL SEALED BID EARLY. THIS FORMAL SEALED BID MUST REACH OUR OFFICE BY 11:00 A.M.** LATE FORMAL SEALED BIDS WILL NOT BE ACCEPTED.

All proposals and bid documents submitted in response **must** include a completed copy of the County of Nassau Consultant's, Contractor's and Vendor's Disclosure Form. Additionally, if the bidder – prospective vendor – utilizes the services of any individual or organization for the purposes of conducting lobbying activities, the proposal **must** also include the Lobbyist Registration and Disclosure Form, completed by that individual/organization.

PARTICIPATION BY POLITICAL SUBDIVISIONS: The successful vendor agrees that all political subdivisions of New York State and all other entities authorized by law to make such purchases may participate in any award under this bid. These Entities shall accept full responsibility for any payments due the successful bidder for their purchases hereunder.

INTENT

SCOPE: It is the intent of the County of Nassau to properly describe by these specifications and terms an adequate method of providing: **No 2 Heating Oil and Diesel.**

PURPOSE: The purpose of this bid is to establish a price structure on which items and/or services listed herein will be purchased at once by Purchase Order.

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Instructions for pages 13 -30

- 1) Business history and principal questionnaire Forms
- 2) Consultant's Contractor's and Vendor's Disclosure Form
- 3) Lobbyist Registration and Disclosure Form

These forms must be filled out completely in their entirety (no blanks). Questions must be responded to appropriately not applicable or N/A is not acceptable, write in none if none is the appropriate answer.

Consultant's Contractor's and Vendor's Disclosure (pages 13 – 16) form if you list a name on question 7part A. The lobbyist and only the lobbyist must fill out the Lobbyist Registration and Disclosure Form (pages 17 – 20)

Regarding the Business History Form (page 23), if no conflict exists write in "no conflict exists" in section (a) (i-iii) in section (b) describe any procedures you have in place or would adopt in the future to ensure a conflict of interest does not arise or exist. Examples would be 1) if a conflict of interest should arise guidance should be sought from the County, 2) would be if a conflict of interest should arise we would take the proper measures to correct the situation, 3) Should we hire an employee with a family relationship with a county public servant that might be construed as a possible conflict of interest we would prohibit that employee from being involved in any way with bidding, billing, payment or any other function with the county.

Redacted, website-ready version

Vendors are encouraged to submit an identical website-ready duplicate copy of forms listed on pages 13 through 30 in the event the formal bid is posted for public viewing.

Redacted information must be limited to information that is excepted from FOIL disclosure under Article 6 of the New York State Public Officers Law.

This includes but not limited to:

- 1) social security number
- 2) personal address
- 3) personal phone number
- 4) personal e-mail address
- 5) social media user name
- 6) information of a personal nature the disclosure of which would result in economic or personal hardship.
- 7) Trade secrets or similar information the disclosure of which would cause substantial injury to the competitive position of the person or company providing it.

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COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM

1. Name of the Entity: United Metro Energy Corp
Address: 500 Kingland Avenue
City, State and Zip Code: Brooklyn, NY 11222
2. Entity's Vendor Identification Number: _____
3. Type of Business: _____ Public Corp _____ Partnership _____ Joint Venture
_____ Ltd. Liability Co ☒ Closely Held Corp _____ Other (specify)

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

John A. Catsimatidis; Chairman & CEO 800 Third Avenue
NY, NY 10022
Fred Spirak; President; 500 Kingland Ave. Brooklyn NY 11222
Albert Mariani, Jr.; CFO; 500 Kingland Ave. Brooklyn NY 11222
Anthony F. Valente; VP & Gen. Counsel 500 Kingland Avenue
Brooklyn, NY 11222

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation include a copy of the 10K in lieu of completing this section.

United Refining, Inc. owns 100% of the capital stock
of Heblider. John A. Catsimatidis is the beneficial owner
of UMEC

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6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

United Apollo Petroleum Transportation Corp.
a wholly owned subsidiary of United Metro
Energy Corp. United Apollo owns and operated a
fleet of approx. 50 trucks and performs all deliveries
for United Metro

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements, or to otherwise engage in lobbying as the term is defined herein. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

(a) Name, title, business address and telephone number of lobbyist(s):

None

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6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

United Apollo Petroleum Transportation Corp.
a wholly owned subsidiary of United Metro
Energy Corp. United Apollo owns and operated a
fleet of approx. 50 trucks and performs all deliveries
for United Metro

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements, or to otherwise engage in lobbying as the term is defined herein. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

(a) Name, title, business address and telephone number of lobbyist(s):

None

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(b) Describe lobbying activity of each lobbyist. See page 4 of 4 for a complete description of lobbying activities.

None

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

None

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Dated: 7/25/17

Signed:

Print Name:

Title:

Fred Spivak

Fred Spivak

President

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The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including by not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

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COUNTY OF NASSAU

LOBBYIST REGISTRATION AND DISCLOSURE FORM

1. Name, address and telephone number of lobbyist(s)/lobbying organization. The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

None

2. List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

None

3. Name, address and telephone number of client(s) by whom, or on whose behalf, the lobbyist is retained, employed or designated:

None

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[Signature]
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None

4. Describe lobbying activity conducted, or to be conducted, in Nassau County, and identify client(s) for each activity listed. See page 4 for a complete description of lobbying activities.

None

5. The name of persons, organizations or governmental entities before whom the lobbyist expects to lobby

None

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6. If such lobbyist is retained or employed pursuant to a written agreement of retainer or employment, you must attach a copy of such document; and if agreement of retainer or employment is oral, attach a written statement of the substance thereof. If the written agreement of retainer or employment does not contain a signed authorization from the client by whom you have been authorized to lobby, separately attach such a written authorization from the client.

7. During the previous year, has the lobbyist/lobbying organization or any of its corporate officers provided campaign contributions pursuant to the New York State Election Law to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator?

If yes, to what campaign committee? If none, you must so state:

None

I understand that copies of this form will be sent to the Nassau County Department of Information Technology ("IT") to be posted on the County's website.

I also understand that upon termination of retainer, employment or designation I must give written notice to the County Attorney within thirty (30) days of termination.

VERIFICATION: The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees listed above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Dated: 7/25/17

Signed: 

Print Name: Fred Spivak

Title: President

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The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including but not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

The term "lobbying" or "lobbying activities" does not include: Persons engaged in drafting legislation, rules, regulations or rates; persons advising clients and rendering opinions on proposed legislation, rules, regulations or rates, where such professional services are not otherwise connected with legislative or executive action on such legislation or administrative action on such rules, regulations or rates; newspapers and other periodicals and radio and television stations and owners and employees thereof, provided that their activities in connection with proposed legislation, rules, regulations or rates are limited to the publication or broadcast of news items, editorials or other comment, or paid advertisements; persons who participate as witnesses, attorneys or other representatives in public rule-making or rate-making proceedings of a County agency, with respect to all participation by such persons which is part of the public record thereof and all preparation by such persons for such participation; persons who attempt to influence a County agency in an adjudicatory proceeding, as defined by § 102 of the New York State Administrative Procedure Act.

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Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

NOTE: All questions require a response, even if response is "none". No blanks.

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: July 25, 2017

1) Proposer's Legal Name: United Metro Energy Corp

2) Address of Place of Business: 500 Kingsland Avenue, Brooklyn, NY 11212

List all other business addresses used within last five years:

NONE

3) Mailing Address (if different): N/A

Phone: 718-383-1400

Does the business own or rent its facilities? owns terminal, rents office space

4) Dun and Bradstreet number: 0788163163

5) Federal I.D. Number: 46-2112871

6) The proposer is a (check one): ☐ Sole Proprietorship ☐ Partnership ☒ Corporation ☐ Other
(Describe) _____

7) Does this business share office space, staff, or equipment expenses with any other business?
Yes ☐ No ☒ If Yes, please provide details: _____

8) Does this business control one or more other businesses? Yes ☒ No ☐ If Yes, please provide details:
United Apollo Petroleum Transportation Corp. - wholly owned transportation subsidiary

9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business? Yes ☒ No ☐ If Yes, provide details. 100% of UMEC capital stock is owned by United Refining, Inc.

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- 10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated? Yes ___ No X If Yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (if a contract). _____
- 11) Has the proposer, during the past seven years, been declared bankrupt? Yes ___ No X If Yes, state date, court jurisdiction, amount of liabilities and amount of assets _____
- 12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business. Yes ___ No X If Yes, provide details for each such investigation. _____
- 13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business. Yes ___ No X If Yes, provide details for each such investigation. _____
- 14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:
- a) Any felony charge pending? Yes ___ No X If Yes, provide details for each such charge. _____
- b) Any misdemeanor charge pending? Yes ___ No X If Yes, provide details for each such charge. _____
- c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? Yes ___ No X If Yes, provide details for each such conviction _____
- d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor? Yes ___ No X If Yes, provide details for each such conviction. _____

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TITLE

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions? Yes ___ No X If Yes, provide details for each such occurrence. _____

15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? Yes ___ No X; If Yes, provide details for each such instance. _____

16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? Yes ___ No X If Yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire. _____

Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

17) Conflict of Interest:

a) Please disclose any conflicts of interest as outlined below. NOTE: If no conflicts exist, please expressly state "No conflict exists."

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County. No conflict exists

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.

WMEC would consider any procedures suggested by the County. None of officers have ever held a position in County government

A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Should the proposer be other than an individual, the Proposal **MUST** include:

i) Date of formation;

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President
TITLE

- ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner;
 - iii) Name, address and position of all officers and directors of the company;
 - iv) State of incorporation (if applicable);
 - v) The number of employees in the firm;
 - vi) Annual revenue of firm;
 - vii) Summary of relevant accomplishments
 - viii) Copies of all state and local licenses and permits.
- B. Indicate number of years in business.
- C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.
- D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

Company Metro North Railroad

Contact Person Anthony Holmes

Address 347 Madison Avenue

City/State New York, NY 10017

Telephone (212) 340-3242

Fax # (212) 340-3959

E-Mail Address Holmes@mnr.org

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President
TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
40512-07057-092

Company NYS Office of General Services
Contact Person James Patrick
Address Corning Tower, Empire State Plaza, 38th Fl.
City/State Albany, NY 12242
Telephone (518) 408-1026
Fax # None provided
E-Mail Address James.Patrick@ogrs.ny.gov

Company Eastern Suffolk BOCES
Contact Person Laurie Conley
Address James Hines Admin. Center, 201 Sunrise Highway
City/State Patchogue, NY 11772
Telephone (631) 687-3160
Fax # (631) 289-2327
E-Mail Address lconley@esbores.org

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President

TITLE

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A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, Fred Spivak, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this 25th day of July 2017

Notary Public

ANTHONY F. VALENTE
Notary Public, State of New York
No. 02VA6338351
Qualified in Kings County
Commission Expires 03/14/2020

Name of submitting business:

United Metro Energy Corp.

By:

Fred Spivak

Print name

[Signature]
Signature

President

Title

Date

7/25/17

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[Signature]
BIDDER

President

TITLE

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name John A. Catsimatidis
Date of birth _____
Home address _____
City/state/zip _____
Business address 800 Third Avenue, 5th Floor
City/state/zip New York NY 10022
Telephone (212) 956-5803
Other present address(es) N/A
City/state/zip _____
Telephone _____

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

President / / / Treasurer / / /
Chairman of Board 03/06/03 Shareholder / / /
Chief Exec. Officer 03/06/03 Secretary / / /
Chief Financial Officer / / / Partner / / /
Vice President / / / / / /
(Other) _____

3. Do you have an equity interest in the business submitting the questionnaire?
YES X NO ____ If Yes, provide details. Through control of corporate parent United Refining, Inc.
4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES X NO ____ If Yes, provide details. An entity I control leases office space to the bidder
5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire? YES X NO ____; If Yes, provide details. I am a beneficial owner of several companies in the state energy sector.
6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer? YES ____ NO X If Yes, provide details.

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[Signature]
BIDDER

President
TITLE

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency.
Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:
- a. Been debarred by any government agency from entering into contracts with that agency?
YES _____ NO X If Yes, provide details for each such instance.
 - b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause? YES _____ NO X If Yes, provide details for each such instance.
 - c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards? YES _____ NO X If Yes, provide details for each such instance.
 - d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract? YES _____ NO X If Yes, provide details for each such instance.
8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated? If "Yes", provide details for each such instance. (Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.) N
- a) Is there any felony charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - b) Is there any misdemeanor charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - c) Is there any administrative charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - d) In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? YES _____ NO X If Yes, provide details for each such conviction.
 - e) In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES _____ NO X If Yes, provide details for each such conviction.
 - f) In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES _____ NO X If Yes, provide details for each such occurrence.

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TITLE



9. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5? YES ____ NO X If Yes, provide details for each such investigation.
10. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer? YES ____ NO X If Yes; provide details for each such investigation.
11. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES ____ NO X If Yes; provide details for each such instance.
12. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? YES ____ NO X If Yes, provide details for each such year.

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29

TITLE

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

1. John A. Catimont, LLC, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this 15th day of July 2017

Notary Public

ANTHONY F. VALENTE
Notary Public, State of New York
No. 02VA6338361
Qualified in Kings County
Commission Expires 03/14/2020

United Metro Energy Corp
Name of submitting business

Joh A. Catimatidis
Print name

Signature

Chairman + CEO

Date _____

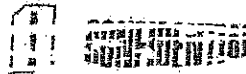
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TITLE

TITLE

PRINCIPAL QUESTIONNAIRE FORM



All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name Fred Spivak
Date of birth _____
Home address _____
City/state/zip _____
Business address 505 Kingsland Avenue
City/state/zip Brooklyn, NY 11222
Telephone (718) 389-5800 x176
Other present address(es) N/A
City/state/zip _____
Telephone _____
List of other addresses and telephone numbers attached _____
2. Positions held in submitting business and starting date of each (check all applicable)
President 07/08/2016 Treasurer _____
Chairman of Board _____ Shareholder _____
Chief Exec. Officer _____ Secretary _____
Chief Financial Officer _____ Partner _____
Vice President _____
(Other) _____
3. Do you have an equity interest in the business submitting the questionnaire?
YES _____ NO X If Yes, provide details.
4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES _____ NO X If Yes, provide details.
5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire? YES _____ NO X If Yes, provide details.
6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer? YES _____ NO X If Yes, provide details.

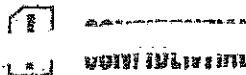
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TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK



FORMAL SEALED BID PROPOSAL
40512-07057-092

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:
- a. Been debarred by any government agency from entering into contracts with that agency? YES _____ NO X If Yes, provide details for each such instance.
 - b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause? YES _____ NO X If Yes, provide details for each such instance.
 - c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards? YES _____ NO X If Yes, provide details for each such instance.
 - d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract? YES _____ NO X If Yes, provide details for each such instance.
8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated? If "Yes", provide details for each such instance. (Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.) No
- a) Is there any felony charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - b) Is there any misdemeanor charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - c) Is there any administrative charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - d) In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? YES _____ NO X If Yes, provide details for each such conviction.
 - e) In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor? YES _____ NO X If Yes, provide details for each such conviction.
 - f) In the past 5 years, have you been found in violation of any administrative or statutory charges? YES _____ NO X If Yes, provide details for each such occurrence.

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TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK



FORMAL SEALED BID PROPOSAL
J512-D7057-092

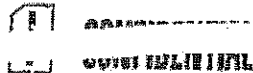
9. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5? YES ____ NO X If Yes, provide details for each such investigation.
10. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer? YES ____ NO X If Yes; provide details for each such investigation.
11. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES ____ NO X If Yes; provide details for each such instance.
12. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? YES ____ NO X If Yes, provide details for each such year.

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I, Fred Spivak, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this 25 day of July 2017



Notary Public
ANTHONY F. VALENTE
Notary Public, State of New York
No. 02VA6336361
Qualified in Kings County
Commission Expires 03/14/2020

United Metro Energy Corp
Name of submitting business

Fred Spivak
Print name


Signature

President
Title

7 / 25 / 17
Date

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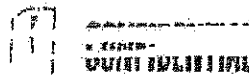
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President
TITLE

PRINCIPAL QUESTIONNAIRE FORM



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COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name Albert Mariani, Jr.
Date of birth _____
Home address _____
City/state/zip _____
Business address 500 Kensington Avenue
City/state/zip Brooklyn, NY 11222
Telephone (718) 389-5800 x163
Other present address(es) N/A
City/state/zip _____
Telephone _____
List of other addresses and telephone numbers attached _____
2. Positions held in submitting business and starting date of each (check all applicable)
President / / Treasurer 09/26/2016
Chairman of Board / / Shareholder / /
Chief Exec. Officer / / Secretary / /
Chief Financial Officer 09/26/2016 Partner / /
Vice President / /
(Other) _____
3. Do you have an equity interest in the business submitting the questionnaire?
YES ___ NO X If Yes, provide details.
4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES ___ NO X If Yes, provide details.
5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire? YES ___ NO X; If Yes, provide details.
6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer? YES ___ NO X If Yes, provide details.

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Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:
- a. Been debarred by any government agency from entering into contracts with that agency?
YES _____ NO X If Yes, provide details for each such instance.
 - b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause? YES _____ NO X If Yes, provide details for each such instance.
 - c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards? YES _____ NO X If Yes, provide details for each such instance.
 - d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract? YES _____ NO X If Yes, provide details for each such instance.
8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated? If "Yes", provide details for each such instance. (Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.)
- a) Is there any felony charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - b) Is there any misdemeanor charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - c) Is there any administrative charge pending against you? YES _____ NO X If Yes, provide details for each such charge.
 - d) In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? YES _____ NO X If Yes, provide details for each such conviction.
 - e) In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES _____ NO X If Yes, provide details for each such conviction.
 - f) In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES _____ NO X If Yes, provide details for each such occurrence.

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BIDDER

TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK



CONFIDENTIAL
COUNTY OF NASSAU

FORMAL SEALED BID PROPOSAL
40512-07057-092

9. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5? YES ____ NO X If Yes, provide details for each such investigation.
10. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer? YES ____ NO X If Yes, provide details for each such investigation.
11. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES ____ NO X If Yes, provide details for each such instance.
12. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? YES ____ NO X If Yes, provide details for each such year.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

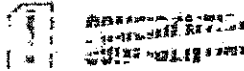
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BIDDER 1

TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
40513-07657-002

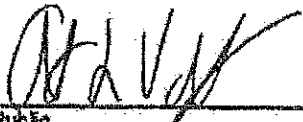


CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, Albert Marieni, Jr., being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this 24th day of July 2017



Notary Public

United Metro Energy Corp.
Name of submitting business

Albert Marieni, Jr.
Print name


Signature

CFO
Title

07, 24, 2017
Date

ALL BIDS MUST BE FOR THE DESTINATION AND DELIVERY OF THE GOODS WITHIN THE COUNTY OF NASSAU, NEW YORK.

FOR THE COUNTY OF NASSAU


BY

Accident
TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
40512-07057-092

PRINCIPAL QUESTIONNAIRE FORM

PROHIBITED
FROM THE PUBLIC

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name Anthony F. Valente
Date of birth _____
Home address _____
City/state/zip _____
Business address 500 Kingsland Avenue
City/state/zip Brooklyn, NY 11222
Telephone (718) 389-5800 x176
Other present address(es) NA
City/state/zip _____
Telephone _____
List of other addresses and telephone numbers attached _____
2. Positions held in submitting business and starting date of each (check all applicable)
President / / Treasurer / /
Chairman of Board / / Shareholder / /
Chief Exec. Officer / / Secretary 03/06/2013
Chief Financial Officer / / Partner / /
Vice President 03/06/2013 / /
(Other) _____
3. Do you have an equity interest in the business submitting the questionnaire?
YES _____ NO X If Yes, provide details.
4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?
YES _____ NO X If Yes, provide details.
5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire? YES _____ NO X If Yes, provide details.
6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer? YES _____ NO X If Yes, provide details.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE

BIDDER

TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK



NON-PROFIT

FORMAL SEALED BID PROPOSAL
46512-07057-092

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency.
Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:
- a. Been debarred by any government agency from entering into contracts with that agency?
YES ____ NO X If Yes, provide details for each such instance.
 - b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause? YES ____ NO X If Yes, provide details for each such instance.
 - c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards? YES ____ NO X If Yes, provide details for each such instance.
 - d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract? YES ____ NO X If Yes, provide details for each such instance.
8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated? If "Yes", provide details for each such instance. (Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.) N
- a) Is there any felony charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - b) Is there any misdemeanor charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - c) Is there any administrative charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - d) In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? YES ____ NO X If Yes, provide details for each such conviction.
 - e) In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES ____ NO X If Yes, provide details for each such conviction.
 - f) In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES ____ NO X If Yes, provide details for each such occurrence.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

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BIDDER

28

TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

CONFIDENTIAL

FORMAL SEALED BID PROPOSAL
40512-07057-092

9. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5? YES ____ NO X If Yes, provide details for each such investigation.
10. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer? YES ____ NO X If Yes; provide details for each such investigation.
11. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES ____ NO X If Yes; provide details for each such instance.
12. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? YES ____ NO X If Yes, provide details for each such year.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE

BIDDER

29

TITLE




CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, Anthony F. Valente, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this day of 20__

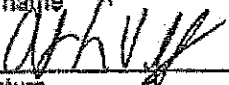


Notary Public

DAVID D. LEACRAFT
NOTARY PUBLIC-STATE OF NEW YORK
No. 01LE0041330
Qualified in Nassau County
My Commission Expires July 16, 2019

United Metro Energy Corp
Name of submitting business

Anthony F. Valente
Print name



Signature

VP, Gen Counsel, Secretary
Title

07/25/2017
Date

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE



BIDDER

30

President

TITLE

AWARD: Award, if any, will be made to the lowest responsible bidder, who in the opinion of the Director of Purchasing, meets the specifications and qualifications stated herein. The Director of Purchasing reserves the right to make an award be items, groups, or classes of items or as a whole. Awards will be made in accordance with the terms and conditions attached hereto and made part hereof.

DELIVERY: Bidders are required to state guaranteed delivery date in terms of days after receipt of order in the space provided below and on page one. Bidders are cautioned to post realistic delivery dates. Guaranteed delivery dates will be strictly enforced. Must be made within 15 days A/R/O unless stated otherwise below:

Delivery to be made _____ 1 _____ Days A/R/O.

Delivery shall be made **ONLY** upon receipt of a Purchase Order, or in the case of a Blanket Order, upon receipt of a Direct Purchase Order(s) from a using agency authorized to use the Blanket Order which will be issued to the successful bidder. Purchase Order and Direct Purchase Order shall indicate the destination address. Inside delivery is required on all deliveries.

Bidders agree that all orders shall be effective and binding upon the contractor when PLACED IN THE MAIL addressed to the Contractor at the address shown on the Blanket Order/Purchase Order PRIOR TO MIDNIGHT OF THE FINAL DAY OF CONTRACT.

INSPECTION: Bidders should be aware of Inspection and Delivery requirements as stipulated.

BILLING: Shall be made on County claim forms or Certified Invoices to the individual using County Agency upon completion of deliveries made against applicable Purchase Order(s) or Direct Purchase Order(s).

NO PARTIAL PAYMENTS WILL BE PAID.

*****VENDOR CLAIM CERTIFICATION*****

IF A CLAIM VOUCHER IS NOT BEING SUBMITTED, THE FOLLOWING CERTIFICATION **MUST** APPEAR ON THE INVOICE:

I HEREBY CERTIFY THAT ALL ITEMS OR SERVICES WERE DELIVERED OR RENDERED AS SET FORTH IN THIS CLAIM; THAT THE PRICES CHARGED ARE IN ACCORDANCE WITH REFERENCED PURCHASE ORDER, DIRECT PURCHASE ORDER OR CONTRACT, THAT THE CLAIM IS JUST, TRUE AND CORRECT; THAT THE BALANCE STATED HEREIN IS ACTUALLY DUE AND OWING AND HAS NOT BEEN PREVIOUSLY CLAIMED; THAT NO TAXES FROM WHICH THE COUNTY IS EXEMPT ARE INCLUDED; AND THAT ANY AMOUNTS CLAIMED FOR DISBURSEMENTS HAVE ACTUALLY AND NECESSARILY BEEN MADE.

CLAIMANT NAME

DATE

BY (SIGNATURE)

TITLE

*CLAIM VOUCHERS AND CERTIFIED INVOICES NOT PROPERLY COMPLETED WILL BE RETURNED TO YOU UNPAID**

Vendors may download claim form NIF5560 at the following URL:

<http://www.nassaucountyny.gov/agencies/Comptroller/Docs/PDF/ClaimVoucherFormBlank.pdf>

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

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BIDDER

31

TITLE

PAYMENT: A certified invoice, or a County claim form to which the invoice is attached, shall be submitted in arrears, directly to the using agency, supported by vouchers signed by agency personnel attesting to satisfactory completion of the required services as specified.

*****VENDOR CLAIM CERTIFICATION*****

If a claim voucher is not being submitted, the following certification **MUST** appear on the invoice:

I hereby certify that all items or services were delivered or rendered as set forth in this claim; that the prices charged are in accordance with referenced purchase order, delivery order or contract, that the claim is just, true and correct; that the balance stated herein is actually due and owing and has not been previously claimed; that no taxes from which the County is exempt are included; and that any amounts claimed for disbursements have actually and necessarily been made.

_____ Claimant Name	_____ Date
_____ By Signature	_____ Title

CLAIM VOUCHERS AND CERTIFIED INVOICES NOT PROPERLY COMPLETED WILL BE RETURNED TO YOU UNPAID.

Vendors may download claim form NIFS560 at the following URL:

<http://www.nassaucountyny.gov/agencies/Comptroller/Docs/PDF/ClaimVoucherFormBlank.pdf>

RETENTION OF BID: Vendor is required to make a copy of his completed bid document and applicable attachments. Any purchase orders issued against this bid will refer to the bid and attachments to designate items awarded.

METHOD OF BIDDING: Please submit unit price in the appropriate column.

PRICE DISCREPANCY: In the event of a discrepancy between the unit price and the extension price, the unit price will govern.

WARRANTY: The successful bidder warrants the equipment furnished and all associated equipment against any defects in design, workmanship and materials against failure to operate satisfactorily for one (1) year from the date of acceptance by the using department and/or agency of the equipment, other than defects or failure shown by the Contractor that have arisen solely from accident or abuse occurring after delivery to the Nassau County agency. Contractor agrees to replace any parts, which in the opinion of the user, shall fail from the above reasons.

BIDDER SHALL STATE WARRANTY

PERIOD: 1 year

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

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BIDDER

President
TITLE

OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
40512-07057-092

NOTE: All warranties take effect only upon written acceptance of equipment by using agency and shall run full term from that point.

BIDDER SHALL INDICATE COST AND TERM OF ANY EXTENDED WARRANTY OPTION, IF AVAILABLE:

NA

TAX PROVISION: Purchases made by the County of Nassau are not subject to State, Local Sales Taxes or Federal Excise Taxes. Federal Exemption #A-109538 State Exemption #EX 7213062C. The County of Nassau is not subject to any Existing "Fair Trade Agreements" and bidders should be governed accordingly.

NEW YORK STATE PRICES: Bidders must represent and warrant that if they are under contract with New York State for items specified herein, that the price quoted to the County is not higher than the price per unit quoted to New York State for like quantities.

PRICE PROTECTION: Bidders are required to state period of price protection (in terms of days) after the bid opening.

STATE PRICE PROTECTION PERIOD: 60 DAYS AFTER BID OPENING

EXTENSION OF PRICE: It is anticipated that additional quantities of items specified herein may be required in the ensuing year. According, the County of Nassau requests that the prices bid be protected and be available to the County of Nassau for one (1) year from the date of the award. Economic conditions may not permit the price protection for an entire year. Bidders are requested to state the period for which bid prices will be applicable to potential additional orders.

For the term of the days.
contract plus 90 days

SAMPLES: Samples, when required, must be submitted strictly in accordance with instructions **otherwise the bid may not be considered.** If samples are requested subsequent to bid opening, they shall delivered within five (5) business days of the request for the bid to be considered. Samples must be furnished free of charge and must be accompanied by descriptive memorandum indicating if the bidder desires their return, also specifying the address to which they are to be returned, provided they have not been used or made useless by testing. Award samples may be held for comparison with deliveries. Samples will be returned at bidders' request and expense.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE

[Signature]
BIDDER

President
TITLE

COMPREHENSIVE AND GENERAL LIABILITY AND HOLD HARMLESS: The Contractor agrees to indemnify and hold harmless the County of Nassau, its agents, officers and employees against any and all claims, causes of action, costs, and liabilities, in law or in equity, of every kind and nature whatsoever, directly or proximately resulting from any act of omission or commission of Contractor, its officers, agents, or employees. Contractor shall, at Nassau County's demand, defend at its own risk and expense any and all suits, actions or legal proceedings which may be brought or instituted against Nassau County, its agents, officers, or employees on any such claim, demand or cause of action, and Contractor shall pay and satisfy any judgment or decree which may be rendered against Nassau County, its agents, officers, or employees in any such suit, action or legal proceeding.

The Contractor shall obtain from an insurance company authorized to do business in the State of New York, and keep in force during the term of any agreement, a policy of Comprehensive and General Liability Insurance naming the Contractor as an insured, and naming the County of Nassau as an additional insured, including, but not limited, to the torts and negligence of Contractor's personnel, with a combined single minimum limit of three million dollars (\$3,000,000.00) for bodily injury and property damage for any one occurrence at the Contractor's sole cost and expense.

The Contractor shall comply with all provisions of the Workers' Compensation Law and shall furnish a certificate showing evidence of current coverage.

Bidder shall list below the Insurance Company(s) holding the following documents:

A) Certificate of Insurance name the County of Nassau as co-insured:

Or

B) Certificate of Insurance with indemnification agreement (hold harmless clause):

Nassau County Must be named as an additional insured

INSURANCE AND WORKERS COMPENSATION: The successful bidder agrees to obtain from an insurance company, authorized to do business in the State of New York, and keep in force during the term of any agreement, a policy of Comprehensive and General Liability Insurance naming the Contractor as an insured, and naming the County of Nassau as an additional insured, including but not limited to the torts and negligence of Contractor's personnel, with a combined minimum single limit of three million dollars (\$3,000,000.00) for bodily injury and property damage for any one occurrence at the Contractor's sole cost and expense.

The Contractor shall comply with all provisions of the Workers' Compensation Law and shall furnish a certificate showing evidence of current coverage.

PRODUCT LIABILITY INSURANCE: The successful bidder agrees to obtain from an insurance company authorized to do business in the State of New York, and keep in force during the term of an agreement, a policy of Product Liability Insurance, including foreign objects, with a combined minimum single limit of one million dollars (\$1,000,000.00) for each occurrence, at the Contractor's sole cost and expense, and shall furnish a certificate showing evidence of current coverage.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE

BIDDER

TITLE

GENERAL CONDITIONS:

All repairs to be made in accordance with the Occupational Safety and Health Administration safety requirements.

Contractor will furnish all labor, materials, transportation, tools, instrumentation, parts and accessories necessary to repair and restore the equipment to optimum operating condition.

All Contractor personnel assigned to any requirement of a contract established must be fully qualified and cognizant of the required and applicable electrical codes and safety requirements, and must adhere to them.

All parts supplied must match and inter-member without modification to the designated equipment, and must be in accordance with the specifications of the manufacturer of the part to be replaced.

Except as otherwise specified, all contract requirements will be performed at the site as required.

Any requirement to remove any part of the equipment or system(s), to the Contractor's shop, must be approved by an authorized agency representative. Nassau County shall supply all utilities which are available on location insofar as compatibility requirements permit.

All requirements performed by the Contractor will be subject to inspection and approval by an authorized designated representative of Nassau County.

Employees of the Contractor, while on service call, shall carry identification badges or cards and shall be instructed to submit same to scrutiny upon request of security or supervisory personnel of Nassau County.

SPECIFICATIONS: Submit complete specifications and illustrations of products offered with the bid. Acceptance of a bid and designation of a manufacturer's catalog description, brand name or number in any Purchase or Blanket Order resulting therefrom shall not be construed as qualification of the specifications of this bid or relief therefrom, except as specifically stated in the Purchase or Blanket Order.

PRODUCT IDENTIFICATION: If a product(s) is identified by a BRAND NAME, a substitute of equal quality, construction, finish, composition, size, workmanship and performance characteristics may be acceptable. In submitting a bid, each bidder warrants that the substitute product being offered is an equal. Bid sheets shall be so noted of the manufacturer's name and brand of the product offered as an equal. If as a result of an award, a delivery is made of a brand or product represented as an equal which is subsequently deemed to be unacceptable, the Contractor shall be required, at his expense, to pick up the rejected item and replace it with brand(s) listed in this bid, or an acceptable equal which will have the approval of the Director.

PROTECTION FROM CLAIM AGAINST "OR EQUAL": In the event of any claim by any unsuccessful bidder concerning or relating to the issue of "equal or better" or "or equal", the successful bidder agrees, at his own cost and expense, to defend such claims or claims and agrees to hold the County of Nassau free and harmless from any and all claims for loss or damage arising out of this transaction for any reason whatsoever.

ALTERNATIVE ITEM: In submitting a bid on a commodity other than as specified, bidder shall furnish complete data and identification with respect to the alternate commodity he proposes to furnish. Consideration will be given to proposals submitted on alternate commodities to the extent that such action is deemed to serve the best interests of the County. If a bidder does not indicate that the commodity he proposes to furnish is other than as specified, it will be construed to mean that the bidder proposes to furnish the exact commodity as described. Consideration of the alternate shall be at the sole discretion of the Director. MORE THAN ONE (1) BID ON EACH ITEM WILL NOT BE CONSIDERED, UNLESS OTHERWISE SPECIFIED BY THE COUNTY.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE

BIDDER

TITLE

EQUIVALENT BIDS: Bidders may offer a product of the same capability, but of different manufacture and model than that specified in this bid. The use of the name of a manufacturer, brand, make or catalog designation is specifying items described herein does not restrict or preclude bidders from offering equivalent or better product bids. Such a designation is used only to indicate the character, quality and minimum performance desired. Equal or better product bids are permissible. A bidder submitting an equal or better product shall, at his own cost and expense be responsible for submitting proof and/or a demonstration of equivalence, compatibility and performance. However, acceptance of an equivalent product shall be strictly at the discretion of the Director. Any omission of the term "or equal" in any specific bid item listing should be disregarded by the bidder. All bidders shall have an absolute right to submit "equivalent" bids notwithstanding any other provision of the bid specifications.

REPLACEMENT PARTS: The requirements specified herein represent, for the most part, replacement and/or repair components to existing and presently owned equipment, and must match and inter-member without modification with the equipment and systems indicated.

ADDITIONAL BIDS: The County reserves the right, for any un-contemplated additional requirements of extraordinary quantities of particular items to call for new bids, therefore, whenever in the opinion of the Director of the Office of Purchase it is in the best interests of the County of Nassau to do so.

PRICE LISTS AND DISCOUNTS: Bidders may attach price lists and catalogs indicating discounts available to the County for all other products not listed herein. New items may be added to the price list at the then current price at the same discount schedule during the life of the contract.

MANUALS/IN-SERVICE VIDEO: Bid prices shall include two (2) each OPERATING MANUALS and two (2) each SERVICE MANUALS for EACH model number ordered. Service manuals should include specifications, circuit description, maintenance procedures, parts list and schematics. Also, bid price shall include, if available, an in-service video, or CD, for EACH model number ordered.

NON-ASSIGNMENT: In accordance with Section 138 of the State Finance Law, the contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of Nassau County and any attempts to assign the contract without the County's written consent are null and void.

NON PERFORMANCE

The Contractor agrees that in the event any of the services provided for under the terms of this contract should in any way be omitted or unsatisfactorily performed by the Contractor and/or his employees, the county shall so notify the contractor verbally and follow with a written notification of the deficient services for immediate correction. In the event the Contractor does not correct the deficient services after receipt of written notification, the Nassau County Department concerned will deduct a percentage based on the work not performed or performed unsatisfactorily from the Contractor's claim for the period covered. If the Contractor continues to omit or unsatisfactorily perform the required services, the County will arrange for the work to be done by another contractor and the cost of such work shall be deducted from any monies due or that may become due to the Contractor.

DISCLAIMER

Any Blanket Purchase Order issued as a result of this bid will establish terms and conditions pursuant to which certain materials and/or services are to be supplied or performed, from time to time, for a specified period upon issuance by the County of Delivery Orders. The Blanket Purchase Order is non-exclusive and the County is not bound to purchase, and no materials are to be delivered or services performed without a Delivery Order. The County shall be under no obligation whatsoever to issue such Delivery Orders. The Blanket Purchase shall not apply in any way to items of material or service deemed by the County in its sole discretion to be extraordinary or involve any special conditions, quantities, circumstances or complexities.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE

BIDDER

TITLE

NOTICE

READ THIS PAGE OF THE BID CAREFULLY

ALL BIDDERS MUST COMPLY WITH THIS REQUIREMENT OR YOUR BID WILL BE AUTOMATICALLY REJECTED

RIGHT TO KNOW LAW AND "OSHA"

PURSUANT TO ARTICLE 28, SECTION 876 OF THE LABOR LAW OF THE STATE OF NEW YORK, THE COUNTY OF NASSAU HAS MANDATED EMPLOYER'S RESPONSIBILITY TO PROVIDE NOTICE TO EMPLOYEES REGARDING TOXIC SUBSTANCES. TO SATISFY THIS MANDATED REQUIREMENT, WE MUST ASK FOR YOUR COOPERATION. SOME OF THE MATERIAL ON THIS BID MAY CONTAIN TOXIC SUBSTANCES. THEREFORE, YOU MUST SUBMIT, WITH YOUR BID, "**MATERIAL SAFETY DATA SHEETS**" FOR ALL MATERIALS TO BE SUPPLIED PURSUANT TO THIS BID.

FAILURE TO PROVIDE THIS INFORMATION WITH THE BID WILL RESULT IN
AUTOMATIC REJECTION OF THE BID.

IF YOUR PRODUCT **DOES NOT** CONTAIN TOXIC SUBSTANCES, PLEASE SIGN THE FOLLOWING CERTIFICATION:

CERTIFICATION:

I HEREBY CERTIFY THAT I HAVE READ THE NASSAU COUNTY NOTICE, AND FURTHER CERTIFY THAT ITEMS NUMBERED _____ DO NOT CONTAIN ANY TOXIC SUBSTANCES.

X

Signature

President

Title

Date

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE

[Signature]
BIDDER

President
TITLE

EVALUATION:

The Director of the Office of Purchasing (hereinafter known as the Director) reserves the right before making award to make investigations as to whether or not the items, qualifications, services or facilities offered by the Bidder meet the requirements set forth herein and are ample and sufficient to insure the proper performance in the event of an award. The Bidder must be prepared, if requested by the Director, to present evidence of experience, ability and financial standing, as well as a statement as to plant, machinery, trained personnel and capacity for the rendition of the service on which he is bidding. Upon request of the Director of Purchasing, successful bidder shall file certification from the manufacturer relative to authorization, delivery, service and guarantees. If it is found that the conditions of the bids are not complied with or that the services or equipment proposed to be furnished do not meet the requirements called for, or that the qualifications, financial standing or facilities are not satisfactory, the Director may reject such bids. It is distinctly understood, however, that nothing in the foregoing shall mean or imply that it is obligatory upon the Director to make any examinations before award; and it is further understood that, if such examination is made, it in no way relieves the Bidder from fulfilling all requirements and conditions of the bid.

ACCESS CLAUSE: Contractor, including its satellites, offices and/or subcontractors, if any, shall maintain full and complete books and records of accounts pertaining to this agreement, in accordance with accepted accounting practices and such other records as may be reasonably prescribed by the County of Nassau. Such books and records shall at all times be available for audit and inspection by the completion of all the services described in this agreement. Contractor further agrees that if any provision of Section 952 of the Omnibus Reconciliation Act of 1980 (PL-96-499) is found by a body of competent jurisdiction to be applicable to this contract, the Contractor agrees that it will make available upon written request by the Secretary of Health and Human Services, or the Comptroller General of the General Accounting Office, or any of their duly authorized representatives, a copy of this contract and any executed amendments thereto documents which relate to the calculation of the charges stated in the contract and copies of service reports documenting services performed. Such records will be available in accordance with the above for the period of six (6) years after the furnishing of any of the services described in this contract.

TERMINATION PREROGATIVE: The Director reserves the right to cancel the Blanket Order by giving not less than thirty (30) days written notice that, on or after a date therein specified, the contract shall be deemed terminated and cancelled.

VENDOR RESPONSIBILITY CRITERIA: The Director of Purchasing reserves the right before making an award to make investigations as to whether or not the qualifications, services, facilities or items offered by the bidder meet the requirements set forth herein and are ample and sufficient to ensure the proper performance in the event of an award. The bidder must be prepared, if requested by the Director of Purchasing, to present evidence of experience, ability, financial standing, as well as a statement as to plant, machinery, trained personnel and capacity for the rendition of the service on which the vendor is bidding. Upon request of the Director, the successful bidder shall file certification from the manufacturer relative to authorization, delivery, service and guarantees. If it is found that the conditions of the bid are not complied with or that the services or equipment proposed to be furnished do not meet the requirements called for, or that the qualifications, financial standing, or facilities are not satisfactory, the Director may reject such bids. It is distinctly understood, however, that nothing in the foregoing shall mean or imply that it is obligatory upon the Director to make any examinations before an award; and it is further understood that, if such examination is made, it in no way relieves the bidder from fulfilling all requirements and conditions of the bid.

IMPORTANT NOTE: The Director reserves the right to accept or reject any and all bids, or separable portions of offers, and waive technicalities, irregularities, and omissions if the Director determines the best interests of the County of Nassau will be served. The Director, in his sole discretion, may accept or reject illegible, incomplete or vague bids and his decision shall be final. A conditional or revocable bid which clearly communicates the terms or limitations of acceptance may be considered and contract award may be made in compliance with the bidder's conditional or revocable terms in the offer. Prior to award, the Director reserves the right to seek clarifications, request bid revisions, or to request any information deemed necessary for proper evaluation of bids from all bidders deemed to be eligible for contract award. Failure to provide requested information may result in rejection of the bid.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

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NON-COLLUSIVE BIDDING CERTIFICATION REQUIRED BY SECTION 139-D OF THE STATE FINANCE LAW

BY SUBMISSION OF THIS BID, BIDDER AND EACH PERSON SIGNING ON BEHALF OF BIDDER CERTIFIES, AND IN THE CASE OF A JOINT BID, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATION, UNDER PENALTY OR PERJURY, THAT TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF:

- [1] The prices of this bid have been arrived at independently, without collusion, consultation, communication, or agreement for the purposes 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 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.

A BID SHALL NOT BE CONSIDERED FOR AWARD NOR SHALL ANY AWARD BE MADE WITH [1], [2], [3] ABOVE HAVE NOT BEEN COMPLETE WITH; PROVIDED HOWEVER, THAT IF IN ANY CASE THE BIDDER(S) CANNOT MAKE THE FOREGOING CERTIFICATION, THE BIDDER SHALL SO STATE AND SHALL FURNISH BELOW A SIGNED STATEMENT WHICH SETS FORTH IN DETAIL THE REASONS THEREFORE:

[AFFIX ADDENDUM TO THIS PAGE IF SPACE IS REQUIRED FOR STATEMENT]

Subscribed to under penalty of perjury under the laws of the State of New York,

this 25th day of JULY, 20 17 as the act and deed of said Corporation or Partnership.

Identifying Data:

Potential Contractor: United Metro Energy Corp

Address: 500 Kingsland Avenue


Street: _____

City, Town, etc: Brooklyn, NY 11211

Telephone: (718) 383-1400 Title: President

If applicable, responsible Corporate Officer

Name Fred Spivak Title President

Signature: [Signature] 

FAILURE TO COMPLETE THIS FORM AND SIGN IN APPROPRIATE PLACE SHALL RESULT IN AUTOMATIC REJECTION OF THE BID.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

BIDDER SIGN HERE [Signature] President
BIDDER TITLE

MANUFACTURER'S CERTIFICATE

THIS IS TO CERTIFY:

That we manufacture the commodities specified in the attached bid schedule:

That the address of the manufacturing plant is:

BAYWAY REFINING
1400 PARK AVE
LINDEN NJ 07036

PHILIPS 66 BAYWAY REFINERY Manufacturer
[Signature] Signature

Title

FURTHERMORE:

That we authorize United Metro Energy Corp. 500 Kingsland
Avenue, Brooklyn, NY 11211
(Name and address of firm or individual)

As our distributor to furnish our products to the County of Nassau as provided in the attached schedules, and agree to supply said distributor such quantities of our products as may be required by the County of Nassau.

PHILIPS 66 BAYWAY REFINING Manufacturer
[Signature] Signature
Title MANAGER DISTILLATE TRADING
7/25/17 Date

MUST BE SIGNED BY AN OFFICER OF THE COMPANY. SALES AGENT OR MANAGER'S SIGNATURE WILL NOT BE ACCEPTED UNLESS LETTER OF AUTHORIZATION FROM THE MANUFACTURER IS ATTACHED.

NOTE: When bidder is other than the manufacturer, the complete certificate must be executed by the manufacturer.

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[Signature]
BIDDER

President
TITLE

GENERAL INSTRUCTIONS: All bidders must adhere to the following conditions:

As per New York State Municipal Law 103, no exception can be taken to any material term and/or condition of this bid with the exception of any warranties as presented in this bid for the specific commodity or service required.

Any language in any proposal or document submitted by a bidder as part of their bid that is accepted by the County of Nassau cannot be in conflict with any material term and/or condition relevant to this bid with the exception of any warranties or the specifications of the commodity of service required by this bid. If there is any conflict between the bidder's terms and conditions and the terms and conditions of this bid, the terms and conditions of this bid shall govern.

Bidders must insert **FEDERAL IDENTIFICATION NUMBER** in the space provided on page one of this bid.

Late Formal Sealed Bids will NOT be accepted. Bidders are urged to mail bids early to assure delivery on time. Bids must be received by 11:00 A.M. on the bid opening date.

Prices **MUST** be inserted with **TYPEWRITER OR INK**. Entries with **WHITE OUT, CROSS-OUTS OR LIFT-OFF TAPE** **MUST** BE INITIALED or that entry will be disqualified.

Bidders should submit bid with unit price in the appropriate column on bid pages or forms attached hereto. In the event of a discrepancy between the unit price and the extension, the unit price shall govern. Bidders shall submit one (1) original bid document and all applicable attachments. Any order issued against this bid will refer to the bid and attachments to designate items awarded. Bidders agree that all, Direct Purchase Orders and/or Purchase Orders shall be effective and binding upon the Contractor when placed in the mail, addressed to the Contractor at the address shown on the Direct Purchase Order or the Purchase Order.

Bidders **MUST** state manufacturer's name and catalog number of each item bid.

ABSOLUTELY NO MINIMUM ORDERS shall be applied to this bid.

Purchases made by Nassau County are not subject to State or Local Sales Tax or Federal Excise Taxes.

Federal Exemption Number: A-109538 **State Exemption Number: EX 7213062C**

Inside (receiving dock) delivery is required on all orders.

The rights and obligations of the parties under this agreement shall be governed by the laws of the State of New York.

Bids are hereby solicited for the commodities and/or services specified herein which are to be delivered and/or performed at the locations indicated, and in strict accordance with all specifications, terms and conditions attached hereto and made part hereof.

Bid document must be signed by proprietor, partner or corporate officer.

The clauses contained in these bid forms set forth the wishes of the County of Nassau in regard to the purchase and/or services required. However, the Director reserves the right to waive irregularities, omissions, or other technical defects if, in its judgment, the best interest of the County of Nassau will be served accordingly.

Bidders may take exception to paragraphs of the bid under a separate cover letter to be attached to this bid, indicating the specific bid page, paragraph and the exception(s). In any event, the decision of the Director will be final.

Qualification statement **MUST BE COMPLETED** and submitted with bid. See page 4 for further details

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RECORD RETENTION: Contractor shall retain complete and accurate records and documents related to this Agreement for six (6) years following the later of termination or final payment. Such records shall at all times be available for audit and inspection by the County.

Governing Law – Consent to Jurisdiction and Venue; Governing Law. Unless otherwise specified in this Agreement or required by Law, exclusive original jurisdiction for all claims or actions with respect to this Agreement shall be in the Supreme Court in Nassau County in New York State and the parties expressly waive any objections to the same on any grounds, including venue and forum non conveniens. This Agreement is intended as a contract under, and shall be governed and construed in accordance with, the Laws of New York State, without regard to the conflict of laws provisions thereof.

The bidder declares that they are a registered vendor in accordance with Ordinance # 72-2014 (the "Ordinance"). All registered vendors must pay the One Hundred Twenty-Five Dollar (\$125.00) annual fee required under the Ordinance. Additionally, registered vendors must pay a Two Hundred Seventy-Five Dollar (\$275.00) per contract fee to register Blanket contracts on the County's procurement website, as required under the Ordinance. Further details about the registration process may be found at

APPROXIMATE QUANTITIES: The estimated usage quantities or estimated annual dollar value, when indicated, are merely estimated quantities based on experience and are given for information purposes only. The County will not be compelled to order the total estimated amount of any item; but the quantity to be ordered will be such as may be actually required by the respective County Department s during the period specified. Additional quantities of any items or quantity specified therein may be ordered during the period of the Blanket Order at the prices indicated.

TOTAL CONSUMPTION: Total consumption of order awarded may be PLUS/MINUS those quantities without any price change.

BID SECURITY: Each bidder shall submit with their bid offer at the date and time scheduled for the bid opening, a **CERTIFIED CHECK OR BID BOND**, payable to the County of Nassau for: **\$ 2,000.00**. Upon the issuance and consummation of any Purchase Order by the Office of Purchase issued hereunder, the bid security will be returned. The bid security of unsuccessful bidders will be returned after an award is made.

SURETY: In the event an award is made hereunder, the successful bidder hereby agrees to obtain and filed with the County of Nassau, security in the amount of 10 % to be entrusted to the County of Nassau as reflected in the award. Such security shall guarantee the faithful performance of the contract, if required by the Director of the Office of Purchasing, or his designee, with the understanding that the whole or any part thereof may be used by the County of Nassau to supply any deficiency that may arise from the default of the Contractor. Bonding Companies must be authorized to transact business in the State of New York.

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TITLE

Specifications and Pricing:

NOTE: In the event of a delivery of a contaminated or defective load of Fuel Oil, the successful vendor is responsible for all expenses incurred to rectify the situation including the reimbursement to Nassau County for its' cost associated with the correction of the problem.

This will include, but is not limited to, the following:

- . The removal and transporting of the defective product.
- . The replacement of the defective product with a quality product.
- . The reimbursement to Nassau County to cover the cost for all damaged or Clogged components (e.g. filters, nozzles, etc.) and cost for all related Labor.

SPECIFICATIONS:

1. Fuel Oil offered under this bid shall be in accordance with Detailed Specifications Class 10, #46 revised, "General Information", and "Fuel Oil Standard", plus Appendages attached hereto and made part hereof.

2. All particulars pertaining to deliveries shall conform to the requirements set forth in Nassau County Ordinance No. 219-67, a copy of which is on file for inspection at the Office of Purchasing.

3. If bidder's fuel oil specifications vary from attached Nassau County Specifications, submit detailed specifications for product to be furnished.

The County reserves the right to deduct from the successful bidder's claims

any additional costs incurred for purchase of products, services or other expenses which result from the bidder's failure to maintain the product level of tank of any Using Agency above 10% of the tank's capacity. The respective bidders must own, operate and deliver fuel oil, and maintain a minimum of 9 trucks. Inspection and VIN Registration numbers upon request.\

All deliveries unless otherwise indicated shall be made in trucks with sealed meters. Successful bidder shall contact all agencies covered in award to familiarize themselves with delivery conditions. Utmost care shall be taken to avoid spills or leakage from vehicles on landscaping or roads.

The vendor shall be responsible for supplying individual delivery tickets showing exact location where product was delivered, grade of oil, total number of gallons delivered and the cost per gallon.

INFERIOR DELIVERY: The County of Nassau reserves the right to treat inferior delivery in accordance with remedies specified in New York State, OGS Spec. - 180, "Fuel Oil, Burner", Group 05500 and Award Proposal No. 1076.

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President

TITLE

FUEL OIL STANDARD

NASSAU COUNTY SPECIFICATIONS

DETAILED SPECIFICATIONS ASTM SPECS. D396-06

REQUIREMENT	ASTM TEST NO.	FUEL OIL GRADE NUMBER			
		#2	#4	#5	#6
Ignition Quality Minimum					
Cetane Number	D613	40	--	--	--
Gravity, ° API Minimum	D287-92 2006	28	24	14	9
Maximum		36	33	24	18
Flash Point, °F Maximum	D97	0	150	0	0
Cloud Point, F Maximum	D97	--	--	--	--
Pour Point, F Maximum	D97-06	--	0-20	30	60
Distillation Temperature	D86				
°F Maximum 10% Point		440	--	--	--
90% Point		600	--	--	--
End Point		660	--	--	--
Water and Sediment,					
% Maximum	D1796-04	Trace	0.30	1.00	--
	D95-05 & D473	--	--	--	2.00
Sediment, % V		.5	max.	Note	1
Water by Dist., %V	.5 max.				
Viscosity, SSU/100°F, Max.	D88	40	100	475)	
Minimum		30	65	200)	Note 2
SSU/122°F, Maximum	D88	--	--	--	300
Minimum		--	--	--	45
Ash, %V		.05	max.	Note	3
Kinematics, Centistokes	D445				
At 100°F, Maximum		4.3	25.2	--	--
Minimum		2.1	5.8	--	--
Carbon Residue, % Maximum by	D189-06				
Weight					
On 10% residuum		0.25	--	--	--
On total		6.00	8.00	16.00	
B.T.U. per gallon	D240-02	140,000	144,000		
B.T.U. per pound		10,100	19,500		
Corrosion, Maximum 3 hrs. at	D130-04E1	--	--	--	--
122°F					
Sulfur % Maximum by Weight	D129-00 (2005)				

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OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
40512-07057-092

PRODUCT PROPERTY	ASTM TEST METHODS	TEST RESULTS		NOTE
		MINIMUM	MAXIMUM	
Gravity, API @ 60°F	D287, D4052	30		
Flash Point, °F(at Origin)	D93, D56	130		1
Viscosity, cst @ 104°F	D445	1.9	3.4	
Cloud Point, °F	D2500, D5771, D5772, D5773, DD3117		+15°F / -9°C	
Pour Point, °F	D5985, D5949, D5950, D97		0°F / -18°C	
Total Sulfur, wt. %	D129 or D2622 or D4294		0.20	
	D5453			
Corrosion, 3 hrs. @ 122°F	D130		1	
Oxidation Stability, mg/100 ml or	D2274		2.5	
Thermal Stability, 90 minutes				
150°C Pad rating	DuPont		7	
Carbon Residue, wt. % on				
10% bottom	D524 or D4530		0.35	
Ash, wt. %	D482		0.01	
Sediment and Water, % by volume	D2709		0.05	
Cetane Number	D613 or D6890	Report		4
Physical Distillation, °F	D86			
50% recovered		Report		
90% recovered		540	640	
End Point			690	
OR Simulated Distillation, °F	D2887			
50% recovered		Report		
90% recovered		572	673	
End Point			790	
Haze Rating @ 77°F	D4176		2	
Procedure 2				
Color Visual		Dyed		2
Dye Content, ppm (at Origin)	D6258 or	13.0	16.0	
	Petrospec DT100			
NACE	TM0172-2001	B+		5

NOTES:

1. Test method D-56 may be used as an alternate to D-93 with the same limits. Test method D-93 is the referee method. Minimum flash at delivery is 125°F.
2. This product must contain red dye, standard solvent Red 26 or solvent Red 184, in concentrations of 4.6 lbs. or 6.6 lbs., respectively, of active dry ingredient per 1,000 barrels. Product must meet a maximum color of 2.5 per ASTM D1500 prior to introduction of dye.
3. The use of lubricity improver additives is prohibited.
4. Where Cetane Number is not available, Cetane Index (D4737B) may be used as an approximation.
5. All products (except aviation grades 152, 153, 155 and 182) must meet a minimum level of corrosion protection, indicated by a minimum rating of B+ as determined by NACE Standard Test Method TM0172-2001 (Determining Corrosive Properties of Cargoes in Petroleum Product Pipelines).
6. Biofuel Components (e.g. biodiesel) are not permitted in this product.

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OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
40512-07057-092

PRODUCT PROPERTY	ASTM TEST METHODS	TEST RESULTS		NOTE
		MINIMUM	MAXIMUM	
Gravity, API @ 60°F	D287, D4052	30		
Flash Point, °F (at Origin)	D93 or D56	130		1
Color, ASTM	D1500		2.5	
Viscosity, cst @ 104°F	D445	1.9	4.1	
Cloud Point, °F	D2500, D5771, D5772, D5773, D3117			2
Pour Point, °F	D5985, D5949, D5950, D97			3
Total Sulfur, ppm (at Origin)	D5453, D3120		10.0	
Receipt from Refinery	D2622, D7039		11.0	7,8
Receipt from Connecting Pipeline			1	
Corrosion, 3 hrs. @ 122°F	D130		2.5	
Oxidation Stability, mg/100 ml or	D2274		7	
Thermal Stability, 90 minutes			0.35	
150°C Pad rating	DuPont		0.01	
Carbon Residue, wt. % on 10% bottom	D524 or D4530		0.05	
Ash, wt. %	D482			
Sediment and Water, % by volume	D2709			
Cetane Number	D613, D6890, D7170	40		
or				
Cetane Index	D4737	40		
Aromatics (Vol%)	D1319		35.0	
Or Aromatics by Cetane Index	D976	40		
Distillation, °F	D86			
50% recovered		Report		
90% recovered		540	640	
End Point			690	
or Simulated Distillation, °C(°F)	D2887			
50% recovered			Report	
90% recovered		300(572)	356(673)	
End Point			421(790)	
Haze Rating @ 77°F	D4176		2	
Procedure 2				
Color Visual		Undyed		4
Additives				5
NACE	TM0172-2001	B+		9

NOTES:

- Test method D-56 may be used as an alternate to D-93 with the same limits.
Test method D-93 is the referee method. Minimum flash at delivery is 125°F.
- Cloud Point - September thru March
Cloud Point - April thru August
Maximum +15°F / -9°C
Maximum +20°F / -7°C
- Pour Point - September thru March
Pour Point - April thru August
Maximum 0°F / -18°C
Maximum +10°F / -12°C
- Product must exhibit no visible evidence of dye.
- Use of static dissipater additive or conductivity improver is prohibited.
- The use of lubricity improver additives is prohibited.
- This product is for On-Road use and should be designated as such in the EPA's Designate and Track reporting system (DMV2D015).
- Sulfur level at delivery will vary depending upon the origin and delivery location.
- All products (except aviation grades 152, 153, 155 and 182) must meet a minimum level of corrosion protection, indicated by a minimum rating of B+ as determined by NACE Standard Test Method TM0172-2001 (Determining Corrosive Properties of Cargoes in Petroleum Product Pipelines).
- Biofuel Components (e.g. biodiesel) are not permitted in this product.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

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NOTE: VENDOR ENTER SULFUR CONTENT

- * ULSD LOW SULFUR FUEL MUST MEET GOVERNMENT REGULATIONS AND SPECIFICATIONS
Limiting the sulfur listed in the Environmental
Protection Agency (EPA) under

OIL

MAX % Sulfur by
Weight ASTM-D129
MAX

SOLID FUEL

(Pounds of sulfur per million gross
Heat content not to exceed 0.20

FUEL OIL NASSAU COUNTY STANDARD SPECIFICATIONS
DETAILED SPECIFICATIONS ASTM D396-06

The fuel oils furnished shall conform to the physical and chemical
requirements of the following table:

NOTE 1: The amount of sediment by extraction, ASTM Test D-473, shall not
exceed 0.50%. The amount of water by distillation plus the sediment by
extraction shall not exceed 2.00 percent. A deduction in contract price
shall be made if the sum of water and sediment exceeds 1% as herein before
provided.

NOTE 2: Successive deliveries under the same contract shall not differ
from each other or from the original delivery by more than 50 SSU/100°F.

NOTE 3: Successive deliveries under the same contract shall not differ
from each other or from the original delivery by more than 50 SSF/122°F.

DELIVERIES: Contractor must be prepared at all times to furnish and
deliver oils strictly in accordance with orders. Deliveries shall be made
within one working day after specific notice. Tank wagon deliveries will
be accepted between the hours of 9:00 A.M. and 5:00 P.M., Monday to Friday
inclusive, except in an emergency. (Exceptions to this schedule are noted
in Bid Sheets). Grades No. 2, Diesel, shall be delivered in trucks with
sealed meters.

IF A LEAKAGE OR SPILLAGE SHOULD OCCUR, IMMEDIATE STEPS MUST BE TAKEN TO
CLEAN UP AND REMOVE SUCH SPILLAGE OR LEAKAGE TO THE SATISFACTION OF THE
COUNTY AGENCY. CONTRACTOR SHALL BE RESPONSIBLE FOR PAYING THE COST OF
CLEANING UP AND REMOVING LEAKAGE OR SPILLAGE ONLY TO THE EXTENT THAT THE
LEAKAGE OR SPILLAGE RESULTS FROM THE NEGLIGENCE OF CONTRACTOR'S EMPLOYEES
OR THE FAILURE OF CONTRACTOR'S EQUIPMENT.

ALL BIDS MUST BE F.O.B. DESTINATION AND INCLUDE DELIVERY WITHIN DOORS UNLESS OTHERWISE SPECIFIED.

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TITLE

INFERIOR DELIVERY: Fuel Oil shall be subject to inspection and the taking of samples at the point of delivery and at such other points as the Office of Purchasing or its agents in their discretion, direct. The right is reserved to cancel the contract, at the contractor's expense, for inferior deliveries, or if oil is found to contain dirt or sediment, or is of a structure that will cause clogging of burners, pipe lines, burner nozzles and prevent proper operation of the plant. All tests of fuel oil under this contract shall be made in accordance and with the Standard Methods of the American Petroleum Institute or the United States Bureau of Standards.

No bid will be considered on fuel oil unless the bidder can meet the following conditions:

- (1) That the bidder owns and is operating a permanently established bulk storage plant with stationary tank age;
- (2) That the bulk storage plant is located within a reasonable distance from the place or point to which deliveries are to be made by transport, tank cars, or tank wagons.
- (3) That bidder's source of supply is directly with a reputable oil refiner.

The County reserves the right to request the following information from the bidder before making as award:

- (1) Certified analysis of the oil offered, such analysis to be made by an independent testing laboratory or the refiner;
- (2) A certified statement of equipment (transports, tank wagons, barges, tank cars and barrels); location, number and capacity of storage tanks that the bidder actually owns for delivery of products called for in the bid.

VOLUMETRIC ADJUSTMENT: Deliveries of Grade No. 2 oil will be taken at normal temperature as delivered. The contractor shall be responsible for the delivery of the full gallon age of fuel oil at the delivery point. The Office of Purchasing or its agents reserve the right to have meters checked or compartments calibrated which are used in the delivery of fuel oil under this contract, at its discretion, by the Department of Weights and Measures of Nassau County.

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SPECIFICATIONS: Fuel Oils shall comply with specifications below. Where any provisions of this specification conflicts with specifications made mandatory by U.S. Government action, the latter governs as to such detail. A barrel of oil is defined at 42 U.S. Gallons at 60°F.

DETAILED SPECIFICATIONS FOR FUEL OILS

SCOPE: These specifications cover light, medium and heavy domestic and industrial fuel oils for domestic and industrial oil burning equipment. PROPERTIES:

(a) Oils for Domestic Use, Grade No. 2 shall be hydrocarbons oils, free from water, acid, grit and fibrous or other foreign matters likely to clog or injure strainers or burner parts.

DETAILED SPECIFICATIONS (Continued)

(b) Oils for Industrial Use, Grade No. 4 shall be hydrocarbon oil, free from grit, acid and fibrous or other foreign matters likely to clog or injure strainers or burner parts.

Oil furnished under these specifications shall be equal to or exceed in all respect the requirements as set forth in Department of Commerce, Bureau of Standards, Washington, D.C., U.S. Government Master Specification No. CS 12-48, and amendments thereof, for Domestic and Industrial Fuel Oils.

PROPERTIES: ULSD OIL NO. 2D

ULSD Diesel Fuel Oil No. 2D shall be free from water and sediment or other foreign matter. Diesel" or equivalent, with minimum requirements as follows:

A P I GRAVITY	34.0 - 39.0
FLASH POINT	154. MINIMUM
VISCOSITY	SAYBOLT UNIVERSAL AT 100°F NOT HIGHER THAN 35 SECONDS
SULPHUR	NOT MORE THAN 0.05%
CARBON RESIDUE	NOT MORE THAN 0.20% on 10% SAMPLE OF BOTTOM
ASH	NONE
WATER AND SEDIMENT	NONE
CETANE RATING	38 MINIMUM ITEMS - ULSD

TESTS

SHOULD DIFFICULTY BE EXPERIENCED WITH PRODUCTS - THE VENDOR WILL BE CHARGED

WITH ALL COSTS THAT THE COUNTY MAY INCUR BECAUSE OF THE PRODUCT FAILING TO MEET THE SPECIFICATIONS. THIS SHALL INCLUDE ANY NECESSARY TESTS OR ANY OTHER COSTS.

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TANK TESTING TOPPING OFF TANKS:

The Dept. of Public Works requests to top-off tanks must be prepared to deliver in a timely manner, on a one time basis per tank, that amount of fuel oil necessary to fill subject tanks for the purpose of tank testing Conducted by DPW at various locations providing minimum order requirements Are met. In those instances where an agency is receiving (MT) Motor transport delivery and requires tank top-offs, the agency must obtain tank top-offs from the tank wagon contractor.

Note: Tank testing will be performed May 1st to Sept. 30th in a non Emergency status

EMERGENCY PURCHASING:

Office of the Deputy County Executive or Superintendent of Buildings Or his agent may contact the carrier directly in the event of an Emergency at his request this will precipitate a delivery within (4)Hours. This will be put into the Blanket Contract with names And contact numbers of Nassau County personnel.

SERVICE:

CONTRACTOR WILL PROVIDE IN WRITING TO THE OFFICE OF PURCHASING THE POSTING AND SUPPORTING CALCULATIONS ON EXCEL SPREAD SHEETS OR PRICE CONFIRMATIONS BY TUESDAY OF EVERY WEEK. THIS WILL INSURE ACCURACY AND EPEDITE TIMELY RECEIVABLES ON ALL INVOICES SHOULD THE PRICE STRUCTURE UTILIZED BY THE PARTIES BECOME UNWORKABLE DETRIMENTAL OR INJURIOUS TO THE COUNTY RESULTING IN PRICES WHICH ARE NOT TRULY REFLECTIVE OF CURRENT MARKET CONDITIONS AND ARE DEEMED UNREASONABLE OR EXCESSIVE BY THE DIRECTOR AND NO ADJUSTMENTS ARE MUTUALLY AGREED UPON THE DIRECTOR RESERVES THE RIGHT UPON (10) DAYS WRITTEN NOTICE MAILED TO THE CONTRACTOR TO TERMINATE THE CONTRACT. IF THE CONTRACTOR CAN NO LONGER MEET THE SERVICE NEEDS OF THE COUNTY HE SHALL NOTIFY THE COUNTY OF SUCH IN ORDER THAT THE COUNTY TAKES APPROPRIATE ACTION. THIS NOTIFICATION MUST BE IN WRITING AND SHOULD BE DELIVERED TO THE OFFICE OF PURCHASING, WITHIN (24) HOURS AND BE PRESENTED TO THE DIRECTOR OF PURCHASING

EMERGENCY DELIVERY PROVISION:

In the event of and for the duration of any state of emergency or disaster declared by the Governor or County Executive, the contractor shall be prepared to provide continuous twenty-four hour service as directed by the State and County. For the purpose of maintaining necessary communications and services, the contractor must designate in the space provided below a primary and if available, a secondary contact person or title. The contractor guarantees that the persons so designated will be available throughout the emergency.

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PHONE	TERMINAL	CONTACT
CONTRACTOR	ADDRESS	PERSONS TITLE
NUMBER		
(718) 389-5800 x 135	500 Kingsland Ave.	Anthony Perette, GM of Operation
(718) 389-5800 x 173	Brooklyn, NY	Robert Leavy, Director Fuel Supply & Distribution

EMERGENCY PREPAREDNESS PLAN:

The successful vendor must provide loaded fuel tankers and operators, on a standby situation at the request of the various Nassau County Agencies. The hourly labor should be indicated along with any compensation necessary to provide continuous twenty-four service as directed by the County of Nassau.

Regular HOURLY COST OF LABOR & TANKER
Monday through Friday 7:00 am - 7:00pm

\$ 120/hr

Overtime HOURLY COST OF LABOR & TANKER
Monday Through Friday after 7:00 pm and

before 7:00 am and all day and night on Saturdays, Sundays and New York State Legal Holidays

\$ 160/hr

THE COST OF THIS EMERGENCY ACTION PLAN WILL NOT BE CONSIDERED IN DETERMINING THE LOWEST BIDDER, IT IS TO BE USED AS A STARTING POINT IN THE EVENT OF AN EMERGENCY.

On Demand Fuel Trucks for Emergencies and Non Emergencies

Provide at minimum 2 Fuel oil trucks to be parked at various Nassau County Locations as necessary with or without a chauffeur to stay with the truck. Each fuel truck will be provided at a daily rental rate. Each truck will hold approximately 2,800 gallons of fuel oil that will be filled upon the county's request. Each fuel truck will have proper apparatus to offload fuel into vehicles and or fuel Tanks. The delivered price for the fuel will be at the current contracted price.

Daily Fuel Truck Rental Rate \$ 100/hr or \$2,400/day

Regular HOURLY COST Chauffeur
Monday through Friday 7:00 am - 7:00pm \$ 75/hr.

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Overtime HOURLY COST OF Chauffeur
Monday through Friday after 7:00 pm
And before 7:00 am and all day and
Night on Saturdays, Sundays and
New York State Legal Holidays

\$ 150/hr

PRICE REVISIONS:

The simple average of the high and low prices posted in the Journal Of Commerce (JOC) Oil Price Daily, Daily Petroleum Prices postings will be used to compute price revisions during the contract period for the delivery of N.O. 2 Heating oil , & ULSD Diesel. The Office of Purchasing will post the price revisions based on the Day of delivery prices, posted, plus the handling charge to determine the daily price beginning with the Publication of the Oil Price Daily on November 7, 2011. The aforementioned mechanism for price revisions would then be applied to the contract prices day of delivery postings throughout the contract period. Price revisions will be rounded at four (4) decimal places for all price adjustments throughout the contract Period. Applicable price changes will be effective at the start of each Business day. The words "Publication Day" as used in this bid refers to the actual day the periodical is published, not the posting day reflected in the issue. Prices will be determined On the publication day, Applicable price changes will be effective as of the start of each business Day. If publication is not published the next business days' issue will be utilized. Requests for price adjustment must be submitted in writing for approval to the Office of Purchasing.

Note: Should the price revision cycle posted in the JOC not provide adequate price adjustments, because of rapid changes in world wide Petroleum prices, the County of Nassau reserves the right to review alternative price periodicals. Daily price postings will utilize the day of delivery posted Price published Monday through Friday. Weekend deliveries if Necessary will utilize Friday's posting.

DELIVERIES: Contractor must be prepared at all times to furnish and deliver oils strictly in accordance with orders. Deliveries shall be made within twenty four hours' notice.

PRICE BASIS: The cost of No.2 Fuel Oil deliveries in motor transport will

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be determined by the average of the tank car reseller's Prices plus the Handling charge, adjustments to the tank wagon deliveries will be the simple average of the N.Y. tank car res., plus con. prices, as published in

the New York Journal of Commerce plus or minus delivery and handling charges.

Bidder need ONLY to insert the Delivery and Handling Charges in the spaces provided herein. for item numbers 1,2,

FIXED PRICE:

Suppliers may submit a Fixed Price Alternative under the heading for both No.2 Heating Oil & ULSD Diesel in (TW) & (MT) deliveries.

Note the fixed price includes delivery.

Bidder need only enter the fixed price for items 1a, 2a, 3a, & 4a.

NO.2 HEATING OIL

Approximate

Qty. Unit	Description	Price
555,000 gal.	FUEL OIL GRADE NO. 2; Tank Wagon (TW)	
DEL.SCHEDULE	Deliveries to locations earmarked as storage tanks	
(TW)	having tank capacities of less than 6,000 gallons	
PRICE BASIS;		
1.) Delivery & handling charge per gallon:		\$ <u>-0.0061</u>
1A) FIXED PRICE ALTERNATIVE: per gallon:		\$ <u>NO BID</u>

175,000 gal. FUEL OIL GRADE NO. 2; Motor Transport (MT)
DEL.SCHEDULE Deliveries to locations earmarked; minimum delivery of (MT) 5,000 gallons or more at one time into storage tanks, Capacity of which exceeds 6,000 gallons.

PRICE BASIS;

2.) Delivery and handling charge:	\$ <u>-0.0461</u>
2A) FIXED PRICE ALTERNATIVE: per gallon:	\$ <u>NO BID</u>

D2 ULSD SULFUR DIESEL FUEL OIL

Adjustments (increases or decreases) to the motor transport contract price Shall be based on the Ultra-Low Sulfur Diesel N.Y. Tank Car Res. High low posted prices averaged plus or minus the differential, (handling charge) awarded the contractor.

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Since Prices are determined by determining the average Posted Price in the New York Journal of Commerce, Bidder need ONLY to insert the Delivery and Handling Charges in the spaces provided herein for items number 3,&4

ULTRA LOW SULPHUR DIESEL

Approximate

Qty. Unit

Description

Price

350,000 gal.

ULSD DIESEL OIL NO.2D; minimum 38 cetane;

ASTM D396 D975; Motor Transport (MT)

Deliveries to locations earmarked with tank
Capacities of 6,000 gallons attached.

3) Delivery and handling charge:

\$ -0.0478

3A) FIXED PRICE ALTERNATIVE:

\$ NO BID

255,000 gal

ULSD DIESEL OIL NO.2D; Tank Wagon (TW)

Deliveries to locations earmarked with tank
Capacities of 5,000 gallons attached.

ULSD DIESEL OIL NO.2D; Tank Wagon (TW)

Deliveries to locations earmarked with tank
Capacities of 5,000 gallons attached.

188,337 gal.

DEL.SCHEDULE

ULSD DIESEL OIL No.2 D; approximate

Quantities submitted under the 21 St Century Grant
Shared services (56) school districts

4) Delivery and handling charge:

\$ + 0.0332

4A) FIXED PRICE ALTERNATIVE:

\$ NO BID

All Home Heating Fuel will be set up for automatic deliveries.
Note the following deliveries

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N.O 2 Heating Oil

(Bill to Code A) DPW PO Starts with POPW 1194 Prospect Ave Westbury NY 11590

(Bill to Code B) DPW PO Starts with POPW 170 Cantiague Rock Road Hicksville NY 11801

(Bill to Code C) CC PO Starts with POCC 100 Carman Ave East Meadow NY 11554

(Bill to Code D) PD PO Starts with POPD 1490 Franklin Ave Mineola NY 11501

Description	Address	Bill #	Bill To	Delivery Method	Annual Approx Quantities Gals	Tank Size
BAILEYS ARBORETUM MAIN HOUSE	194 BAYVILLE ROAD, LOCUST VALLEY, NEAR FEEKS LN	8501	A	TW	7,000	2500
BLDG 20 (OLD GRUMMAN)	SOUTH OYSTER BAY ROAD	1015	A	TW	15,000	6000
CEDARMERE -MAIN HOUSE	225 BRYANT AVENUE ROSLYN HARBOR	8402	A	TW	2,500	1000
CHELSEA - GATE HOUSE	34 MUTTONTOWN LANE, EAST NORWICH, NY 11732	8407	A	TW	1,200	600
CHELSEA - MAIN HOUSE	34 MUTTONTOWN LANE, EAST NORWICH NY 11732	8404	A	TW	250	2500
CHELSEA-MAINTENANCE GARAGE EAST/APTS	34 MUTTONTOWN LANE, EAST NORWICH NY 11732	8404	A	TW	2,000	550
CHELSEA - MAINTENANCE GARAGE WEST/APTS	34 MUTTONTOWN LANE, EAST NORWICH NY 11732	8404	A	TW	2,000	1000
CHRISTOPHER MORLEY ADMIN BLDG	500 SEARINGTOWN ROAD ROSLYN ESTATES	8318	A	TW	2,000	10,000

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CHRISTOPHER MORLEY GOLF TICKET OFFICE	500 SEARINGTOWN ROAD ROSLYN ESTATES	8608	A	TW	2,000	500
CHRISTOPHER MORLEY MAINT. BLDG	500 SEARINGTOWN ROAD ROSLYN ESTATES	8318	A	TW	10,500	2500
CRADLE OF AVIATION	HANGER 2 - MITCHELL FIELD	8405	A	TW	12,500	6000
EISENHOWER PARK CADDY HOUSE	HEMPSTEAD TPKE	8601	A	TW	2,500	550
EISENHOWER PARK TICKET OFFICE	HEMPSTEAD TPKE, EAST MEADOW	8601	A	TW	2,500	600
EISENHOWER PARK LANIN HOUSE	HEMPSTEAD TPKE EAST MEADOW (CLOSE TO MERRICK RD)	8998	A	TW	4,000	1000
EISENHOWER PARK MAINT BLDG	HEMPSTEAD TPKE EAST MEADOW W/O PUBLIC SAFETY	8201	A	TW	7,000	2500
EISENHOWER PARK SPECIAL ACTIVITY BLDG	HEMPSTEAD TPKE EAST MEADOW (CLOSE TO MERRICK RD)	8319	A	TW	4,000	1000
EISENHOWER PARK WOMENS SPORT FOUND.	HEMPSTEAD TPKE, EAST MEADOW (CLOSE TO MERRICK RD)	8310	A	TW	1,500	600
ELDERFIELDS - COTTAGE	200 PORT WASHINGTON BLVD PORT WASHINGTON	8550	A	TW	2,500	550
FINE ARTS - GARAGE	1 MUSEUM DRIVE ROSLYN	8402	A	TW	2,500	1000
FINE ARTS - GATEHOUSE	1 MUSEUM DRIVE ROSLYN	8402	A	TW	1,300	275
FINE ARTS - LABORATORY	1 MUSEUM DRIVE ROSLYN	8402	A	TW	500	1000

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FINE ARTS - MAIN HOUSE/MUSEUM	1 MUSEUM DRIVE ROSLYN	8402	A	TW	500	4000
GARVIES POINT MUSEUM	50 BARRY DRIVE GLEN COVE	8506	A	TW	8,000	1000
GRANT PARK - ADMIN BUILDING	1625 BROADWAY AT SHERIDAN AVENUE	8312	A	TW	10,000	6000
GRANT PARK - MAINTENANCE BLDG	1625 BROADWAY AT SHERIDAN AVENUE	8312	A	TW	1,000	480
HOLOCAUST MUSEUM	100 CRESCENT BEACH ROAD GLEN COVE	8522	A	TW	5,000	4000
INWOOD COMMUNITY CENTER	270 LAWRENCE AVENUE INWOOD	7004	A	TW	35,000	2500
MITCHELL ATHLETIC MAINT BLDG	CHARLES LINDBERG BLVD UNIONDALE	8316	A	TW	1,500	1000
MITCHELL ATHLETIC RIFLE RANGE	1 CHARLES LINDBERG BLVD UNIONDALE	8323	A	TW	15,000	6000
N. WOODMERE PARK MAINT BLDG	2 HUNGRY HARBOR ROAD/ BRANCH BLVD	8609	A	TW	3,000	1000
N.C. HEALTH DEPARTMENT	200 COUNTY SEAT DRIVE MINEOLA	4113	A	TW	1,200	2500
N.C.D.O.H. DIV. LABS AND RESEARCH	209 MAIN STREET HEMPSTEAD	1008	A	TW	6,000	2500
N.C.F.S.A. BUILDING A	WINDING ROAD BETHPAGE	6009	A	TW	4,000	2500
N.C.F.S.A. BUILDING E	WINDING ROAD BETHPAGE	6009	A	TW	5,000	6000
N.C.F.S.A. GARAGE/BLDG G	WINDING ROAD BETHPAGE	6009	A	TW	4,000	2500

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N.C.F.S.A. PUMP HOUSE	WINDING ROAD BETHPAGE	6009	A	TW	1,500	2500
N.C.P.D. AUXILLARY POLICE BLDG	WASHINGTON AVE & LAKESIDE DRIVE ROOSEVELT	3009	A	TW	1,500	280
N.C.P.D. CAP SQUAD	970 BRUSH HOLLOW ROAD WESTBURY	3005	A	TW	10,000	1000
N.C.P.D. CHILDRENS SAFETY TOWN	HEMPSTEAD TPKE EAST MEADOW ENTRAN ON MERRICK RD	3007	A	TW	3,000	500
N.C.P.D. HORSE STABLES	HEMPSTEAD TPKE EAST MEADOW CLOSE TO MERRICK RD	3006	A	TW	800	275
N.C.P.D. MARINE BUREAU	FOOT OF 1ST AVENUE BAY PARK	3011	A	TW	5,000	6000
N.C.P.D. PISTOL RANGE	300 WEIR STREET HEMPSTEAD	3008	A	TW	3,000	1000
NASSAU HALL MAIN BLDG	1864 MUTTONTOWN ROAD EAST NORWICH	8407	A	TW	15,000	2500
NASSAU HALL STABLES/APARTMENTS	1864 MUTTONTOWN ROAD EAST NORWICH	8407	A	TW	4,000	1000
NICKERSON BEACH MAINTENANCE BLDG	880 LIDO BLVD LONG BEACH	8320	A	TW	5,500	2500
OBVR ADMINISTRATION BLDG	1303 ROUND SWAMP ROAD OLD BETHPAGE	8408	A	TW	2,000	6000
SANDS POINT - COW BARN	95 MIDDLENECK ROAD SANDS POINT	8517	A	TW	7,000	6000

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SANDS POINT - FALAISE	95 MIDDLENECK ROAD SANDS POINT	8517	A	TW	12,500	4000
SANDS POINT - GATEHOUSE	95 MIDDLENECK ROAD SANDS POINT	8517	A	TW	500	1000
SANDS POINT - GREENHOUSE	95 MIDDLENECK ROAD SANDS POINT	8517	A	TW	250	550
SANDS POINT - LANE LODGE	95 MIDDLENECK ROAD SANDS POINT	8517	A	TW	3,500	1000
SANDS POINT - NATURE CENTER	95 MIDDLENECK ROAD SANDS POINT	8517	A	TW	2,000	280
TIFFANY	45 SANDY HILL ROAD OYSTER BAY (AT BERRY HILL RD)	8521	A	TW	3,000	550
WELWYN TENNIS COURTS/ APARTMENTS	CRESCENT BEACH ROAD	8522	A	TW	1,500	1000
Tudor House	52 Rte 106		A	TW	800	275
Tudor House	52 Rte 106		A	TW	800	275

ULSD DIESEL

NASSAU COUNTY OEM 120 hour Activation Timeline:

Sheriff requests to top off fuel tanks ULSD DIESEL (TW) DELIVERIES

I) (1 mega watt) generator located at Nassau

II) Community College 1,750 gallons

III) DIESEL FOR PORTABLE GENERATORS located at
296 Grumman Rd. West generators
BETHPAGE N.Y.

Not limited to the following generators:

(1) 500 KW GENERATOR

1,000 gallons

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(5) 120 KW GENERATORS

70 gallons EACH TANK

All generators associated with Nassau County Facilities either stationary as listed below or mobile not listed below during non-emergencies will have a response time no longer than 24 hours. A minimum quantity of 100 gallons is set.

(Bill to Code A) DPW PO Starts with POPW 1194 Prospect Ave Westbury NY 11590-Facilities Mgt.-Nancy Allen

(Bill to Code B) DPW PO Starts with POPW 1194 Prospect Ave Westbury NY 11590 -Bay Park STP-Nancy Allen

(Bill to Code C) DPW PO Starts with POPW 170 Cantiague Rock Road Hicksville NY 11801-Fleet Maint.-Mike Fasano Jr

(Bill to Code D) DPW PO Starts with POPW 170 Cantiague Rock Road Hicksville NY 11801-Road Maint.-Pete Ladis

(Bill to Code E) DPW PO Starts with POPW 1194 Prospect Ave Westbury NY 11590 Cedar Creek STP-Nancy Allen

(Bill to Code F) DPW PO Starts with POPW 1194 Prospect Ave Westbury NY 11590 -Lawrence STP-Nancy Allen

(Bill to Code G) DPW PO Starts with POPW 1194 Prospect Ave Westbury NY 11590 -Cedarhurst STP-Nancy Allen

(Bill to Code H) CC PO Starts with POCC 100 Carman Ave East Meadow NY 11554-Correc'l Ctr-Maria Love

(Bill to Code I) PD PO Starts with POPD 1490 Franklin Ave Mineola NY 11501-Police-Corine Van Holten

Description	Address	Town	Type
Administration Building	400 County Seat Drive	Mineola	Emergency Generator
Bay Park STP	2 Majorie Lane	East Rockaway	Dispenser
Bay Park STP	2 Majorie Lane	East Rockaway	Generator
Bay Park STP	2 Majorie Lane	East Rockaway	Generator
Bay Park STP	2 Majorie Lane	East Rockaway	Generator
Bay Park STP	2 Majorie Lane	East Rockaway	Sewer Main
Bay Park STP	2 Majorie Lane	East Rockaway	Fire Building
Bay Park STP	2 Majorie Lane	East Rockaway	Fire Building
Bay Park STP	2 Majorie Lane	East Rockaway	Operations Building
Cedar Creek WPCP	3340 Merrick Road	Wantagh	Building B
Cedar Creek WPCP	3340 Merrick Road	Wantagh	Building B
Cedar Creek WPCP	3340 Merrick Road	Wantagh	Dispenser

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OFFICE OF PURCHASING
COUNTY OF NASSAU STATE OF NEW YORK

FORMAL SEALED BID PROPOSAL
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Correctional Facility	100 Carman Avenue	East Meadow	Building E	5002	H	TW	6000
Correctional Facility	100 Carman Avenue	East Meadow	Building A	5004	H	TW	4000
Correctional Facility	100 Carman Avenue	East Meadow	Building C	5023	H	TW	4000
Correctional Facility	100 Carman Avenue	East Meadow	Generator	5003	H	TW	3000
Correctional Facility	100 Carman Avenue	East Meadow	Generator	5003	H	TW	3000
Correctional Facility	100 Carman Avenue	East Meadow	SAT Facility	5027	H	TW	2500
District Main Court	99 Main Street	Hempstead	Court Building	2004	A	MT	15000
Hempstead Garage	467 Baldwin Road	Hempstead	Generator	4085	D	TW	1000
Hempstead Garage	467 Baldwin Road	Hempstead	Dispenser	4085	C	MT	10000
Hicksville Garage	170 Cantiague Rock Rd	Hicksville	Generator	4093	D	TW	1000
Hicksville Garage	170 Cantiague Rock Rd	Hicksville	Dispenser	4093	C	MT	20000
Manhasset Garage	320 Bayview Avenue	Manhasset	Dispenser	4110	C	MT	10000
Glen Cove Garage	12 Morris Avenue	Glen Cove	Dispenser	4081	C	MT	10000
EOC	101 15th Street	Mineola	EOC Building	3001	A	TW	6000
Eisenhower Park	Hempstead Turnpike	East Meadow	Dispenser	8701	C	TW	2500
Firemens Training Center	300 Winding Road	Bethpage	Disp/Prop	6013	A	TW	6000
Firemens Training Center	300 Winding Road	Bethpage	Main Pump House	6014	A	TW	2500
Family Court Complex	1200 Old Country Rd	Mineola	Pump	2001	A	TW	1000
Family Court Complex	1200 Old Country Rd	Mineola	Power Generator	2001	A	TW	500
Inwood Community Center	270 Lawrence Avenue	N. Lawrence	Generator	7004	A	TW	4000
NCPD Marine Bureau	Sampson Avenue	East Rockaway	Dispenser	3011	I	MT	10000
NCPD 2nd Precinct	7700 Jericho Turnpike	Woodbury	Generator	3525	I	TW	1000
NCPD 3rd Precinct	214 Hillside Avenue	Williston Park	Generator	3533	I	TW	1000
NCPD 5th Precinct	1655 Dutch Broadway	Elmont	Generator	3556	I	TW	550
NCPD 6th Precinct	100 Community Drive	Manhasset	Emergency Generator	3567	I	TW	1000
NCPD 7th Precinct	3636 Merrick Road	Seaford	Generator	3577	I	TW	550
NCPD ESB/ Highway Patrol	1255 Newbridge Rd	Bellmore	Generator	3013	I	TW	750
NCPD ESB/ Highway Patrol	1255 Newbridge Rd	Bellmore	Dispenser	3013	I	TW	10000
NCPD Headquarters	1490 Franklin Avenue	Mineola	Dispenser	3001	I	TW	6000
NCPD Headquarters	1490 Franklin Avenue	Mineola	Generator	3001	I	TW	4000
NCPD Cap	970 Brush Hollow Rd	New Cassel	Emergency Generator	3005	I	TW	300
Nassau Beach	880 Lido Boulevard	Long Beach	Dispenser	8365	C	TW	1000
Nassau Community College	1 Education Drive	Garden City	Tower/ Generator	9001	A	TW	2500
Office Building	240 Old County Road	Mineola	Generator	1001	A	TW	550
Public Safety Center	1194 Prospect Avenue	Westbury	Generator	1002	A	TW	30000
Supreme Court	100 Supreme Court Dr.	Mineola	Court Building	2003	A	TW	275
Supreme Court	100 Supreme Court Dr.	Mineola	Court Building	2003	A	TW	275
Old Court House	1550 Franklin Avenue	Mineola	Emergency Generator	1005	A	TW	375
NCIT	99 Grumman Rd. West	Bethpage	Generator	3002	A	TW	2500
Harry Tappen Marina	Shore Road	Glenwood Landing	PD Marine Boats		I	TW	175
Teddy Roosevelt Marina	Bay Ave	Oyster Bay	PD Marine Boats		I	TW	175
Morrely	510 Grumman Rd west	Bethpage	Generator	1132	A	TW	1000

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FORMAL SEALED BID PROPOSAL
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Police Boats at Harry Tappen Marina and Teddy Roosevelt Marina will have authorized PD personal who can call for delivery. The response time will be no longer than 24 hours:

Lieutenant Magnifico

Sargent Gaffney

Sargent Miller

Sargent Frederico

Sargent Amberman

Sargent Boyle

Officer Leek

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Edward P. Mangano
COUNTY EXECUTIVE



Eric C. Naughton
Deputy County Executive for
Finance

OFFICE OF PURCHASING

1 West Street
Mineola, NY 11501
(516) 571-7720
Fax (516) 571-4263

AMENDMENT NO. 1

FORMAL SEALED BID NO. 40512-07057-092

FOR: No 2 Heating Oil & Diesel

ISSUED: June 22, 2017

OPENING: July 27, 2017

TO ALL BIDDERS:

- 1) This formal sealed bid has been postponed until July 27, 2017 @ 11 AM E.D.S.T
- 2) All other terms and conditions of the Formal Sealed Bid to remain unchanged.
- 3) A copy of this Amendment must be signed by the Bidder and attached to his bid.

OFFICE OF PURCHASING

Michael Schlenoff
Director of Purchasing

Frederick J. Schlenoff
President

07/25/2017

Edward P. Mangano
COUNTY EXECUTIVE



Eric C. Naughton
Deputy County Executive for
Finance

OFFICE OF PURCHASING
1 West Street
Mineola, NY 11501
(516) 571-7720
Fax (516) 571-4263

AMENDMENT NO. 2

FORMAL SEALED BID NO. 40512-07057-092

FOR: No 2 Heating Oil & Diesel

ISSUED: June 22, 2017

OPENING: July 27, 2017

TO ALL BIDDERS:

- 1) Please see attached pages for questions and answers.
- 2) All other terms and conditions of the Formal Sealed Bid to remain unchanged.
- 3) A copy of this Amendment must be signed by the Bidder and attached to his bid.

OFFICE OF PURCHASING

Michael Schlenoff
Director of Purchasing

Paul Apant
President

7/25/2017

Title: No. 2 Heating Oil & Diesel

1) Page 1, Most Favored Nation clause – This clause should be declared not applicable to this bid, as the prices quoted are specific to the products and deliveries as specified in the bid document.

2) Page 2, Section 22 (f), Line 10 – Request change in line 10 from "irrespective of whether the same shall have been due to the negligence of the Bidder or his agents" to "if the same is due to the negligence of the Bidder or his agents".

3) Page 11, Indemnification, Line 2 Request insertion of "negligent" prior to "acts or".

4) Page 11, Participation By Political Subdivisions – States that all political subdivisions of New York State and all other entities authorized by law may participate in any award under this bid. Request that statement be changed to limit participation to organizations located in Nassau County. A Vendor cannot be expected to deliver to a Political subdivision located a significant distance from Nassau County, for example in Buffalo New York.

5) Page 34, Insurance and Workers Compensation section – Request removal of the first paragraph of this section as it duplicates requirements shown in the section directly above.

Please see page 41 General instructions on page 41 for the proper procedures to follow in order to take exceptions to the bid terms and conditions.

6) Page 41, "Absolutely No Minimum Orders shall be applied to this bid" – Please clarify statement as bid contains requested pricing for MT deliveries, which require a 5000-gallon minimum order.

Answer remove from specifications: Absolutely No Minimum orders shall be applied to this bid

7) Page 43, First paragraph "Note:" – Request that "In the event of a delivery of a contaminated or defective load of Fuel Oil..." be changed to "In the event of a delivery of Fuel Oil that does not meet specifications based on a sample obtained from the delivery vehicle and confirmed by an independent laboratory..."

8) Page 43, fifth paragraph – Please clarify the requirement that it is the bidders responsibility to ensure that the level in the tanks remain above 10% of the tanks capacity. Nassau County locations place orders for deliveries, bidders do not have access to tank readings in order to monitor fuel levels therefore would be unable to ensure levels remain above 10% if Nassau County facilities do not place orders in a timely fashion.

Answer to questions 7 and 8: For automatic deliveries of home heating fuel any additional costs incurred for purchase of products, services or other expenses which result from the bidders failure to maintain the product level of tank of any using agency above 10% of the tank's capacity.

9) Page 43, sixth paragraph – request following change: "All deliveries... shall be made in trucks with sealed meters, certified by the County of Nassau Department of Weights and Measures, or other government Agency with reciprocal rights, such as the City of New York Department of Consumer Affairs." Merely requiring sealed meters means that anyone can stick a seal on a meter and does not guarantee that the meter has been checked and certified by an appropriate governmental Agency.

Answer to question 9: Nassau County Department of Public Works find this acceptable as long as Nassau County weights and measures approves the New York Department of Consumer Affairs

10) Pages 44, 45, 46, 47 and 49, Specifications for Fuel Oil and Diesel – The specifications shown are confusing and outdated, it is not clear which specification is for fuel oil and which is for diesel. On page 44 the Flash Point shown as 0 F Maximum. Flash is reported as a minimum, and pipeline specs call for 130F Min. Total sulfur is shown as 0.20%, the maximum sulfur level for No.2 oil (ULSH) in New York State is 0.0015% (15ppm). The 90% and End Point distillations on pages 44 and 45 are different. For ULSD there are no winter specifications included which could mean that a bidder could supply non-winterized ULSD without penalty, leading to winter operability issues. On page 47 sulfur max for ULSD is shown as 0.20, on page 49 it is shown as 0.05%, both of which are significantly above Federal and State maximums of 0.0015% maximum. We recommend that the County require all bidders to supply Ultra Low Sulfur Fuel oil and Ultra Low Sulfur Diesel that meets ASTM specifications. The specification for ULSH would be ASTM D-396, latest version and the specification for ULSD would be ASTM D-975, latest version. ASTM D-975 also includes requirements for winterization utilizing 10th percentile temperatures by month during the winter months, which would ensure the County receives ULSD that will perform during winter months.

Answer to question 10: Specifications should read: Ultra Low Sulfur Fuel oil and Ultra Low Sulfur Diesel that meets ASTM specifications. The specification for ULSH would be ASTM D-396, latest version and the specification for ULSD would be ASTM D-975, latest version. ASTM D-975 also includes requirements for winterization utilizing 10th percentile temperatures by month during the winter months, which would ensure the County receives ULSD that will perform during winter months.

11) Pages 52, 53, and 54 – Price Revisions – States prices will be based on the JOC / Oil Price Daily, daily prices, with the average of the Tank Car Reseller postings being the base prices for ULSH and ULSD. The only ULSH price posted is for ULSH 2% Bio NYC specification product, which will change to ULSH 5% Bio product when the NYC specification changes in October 2017. Neither this posting, nor the ULSD posting posts an average price as there is only one number posted (see attached June 26th 2017 publication). The number of companies posting prices in the Oil Price Daily has declined dramatically over the years, leading to single postings for many products and categories. Many governmental agencies have moved away from this publication and over to publications such as Argus, Platts, or OPIS New York Harbor Barge postings, which are more representative of prices in the markets. Request that the County of Nassau change their basis for pricing to one of the above New York Harbor mean postings, prior day (See Attached).

Answer to question 11: specifications should read pricing will be based on OPIS oil price daily.

12) Page 43, Item 2 – Specifications.- Please provide copy of Nassau County Ordinance No. 219-67 for review.

Answer to question 12. Remove from specifications Item 2 on page 43.

Edward P. Mangano
COUNTY EXECUTIVE



Eric C. Naughton
Deputy County Executive for
Finance

OFFICE OF PURCHASING

1 West Street
Mineola, NY 11501
(516) 571-7720
Fax (516) 571-4263

AMENDMENT NO. 3

FORMAL SEALED BID NO. 40512-07057-092

FOR: No 2 Heating Oil & Diesel

ISSUED: June 22, 2017

OPENING: July 27, 2017

TO ALL BIDDERS:

- 1) Add to specifications the following MT delivery locations.

Sands Point – Castle Gould 127 Middle Neck Road Sands Point ULS Heating Oil

Sands Point- DPW Hempstead 127 Middle Neck Road Sands Point ULS Heating Oil

Rockville Center – Power 110 Maple Avenue Rockville Center Dyed ULSD

- 2) All other terms and conditions of the Formal Sealed Bid to remain unchanged.

- 3) A copy of this Amendment must be signed by the Bidder and attached to his bid.

OFFICE OF PURCHASING

Michael Schlenoff
Director of Purchasing

Ed Spina

President -

7/25/2017

FOR PRINCIPAL'S USE ONLY (Use Only One)

INDIVIDUAL ACKNOWLEDGEMENT
Unless a Corporation

STATE OF _____

COUNTY OF _____

ss:

On this _____ day of _____, _____, before me personally came

to me known and known to me to be the person mentioned and described in and who executed the foregoing instrument and daily acknowledged to me the execution of the same.

Notary Public

Notary Address

CORPORATE ACKNOWLEDGEMENT

STATE OF New York

COUNTY OF Kings

ss:

On this 28th day of July, 2017, before me personally came

Fred Spivak

to me known, who, being by me duly sworn, did dispose and say that he/she resides in 4650 Kingsland Avenue, Brooklyn, NY 11222

that he/she is the President of the

United Metro Energy Corp

the corporation described in and which executed the above instruments; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her name thereto by like order.

Notary Public

FOR SURETY USE ONLY

SURETY ACKNOWLEDGEMENT

ANTHONY F. VALENTE
Notary Public, State of New York
No. 02VA6338351
Qualified in Kings County
Commission Expires 03/14/2020

STATE OF NEW JERSEY

COUNTY OF BERGEN

ss:

On this 28th day of July, 2017, before me personally came

DEBRA J. EZRA

to me known, who being by me duly sworn, did depose and say that he/she resides in MAHWAH, NEW JERSEY

BERGEN County, that he/she is the Attorney-in-fact of

NBM Insurance Company, and the corporation described in and which executed the above instruments; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her name thereto by like order.

KAREN SWISTAK

KAREN SWISTAK
NOTARY PUBLIC OF NEW JERSEY
ID # 50011902

My Commission Expires 3/12/2020



THE MAIN STREET AMERICA GROUP



I certify that at the Annual Meeting of the Directors of the NGM Insurance Company duly called and held at Jacksonville, Florida on March 10, 2016, the following officers were elected and remain in office:

THOMAS M. VAN BERKELCHAIRMAN OF THE BOARD, PRESIDENT AND CHIEF EXECUTIVE OFFICER
 EDWARD J. KUHL.....EXECUTIVE VICE PRESIDENT, CHIEF FINANCIAL OFFICER & TREASURER
 JEFFREY B. KUSCH, DAVID S. MEDVIDOFSKY,
 MICHAEL D. LANCASHIRE, SENIOR VICE PRESIDENTS
 BRUCE R FOXVICE PRESIDENT, GENERAL COUNSEL & SECRETARY
 DANIEL J. GAYNOR, NANCY GIORDANO-RAMOS, JANET M. ROOT
 JOHN THOMPSON, ROBERT HETZEL, DEBORAH E. MURPHY.....VICE PRESIDENTS
 AMY J. FREDERICKVICE PRESIDENT & CHIEF INFORMATION OFFICER
 THOMAS T. FRAZIER.....VICE PRESIDENT & CHIEF INVESTMENT OFFICER
 DEAN P. DORMAN..... VICE PRESIDENT & CHIEF ACTUARY
 CATHERINE PARRISH, DEBRA POSPIEL, DEBORAH COHEN-JANSEN,
 LISA MURMAN, RONALD PROFAIZER, DARRYL OSMAN..... ASSISTANT VICE PRESIDENTS
 TIMOTHY O. MUZZEY ASSISTANT VICE PRESIDENT/ACTUARY
 KIMBERLY K. LAW, MARK FRIEDLANDER, KATHLEEN KILLGORE, NANCY PALMISANO,
 MICHELE SEYMOUR, ALICE MORIARTY, JEFFREY PRICE, DANIEL BLAU,
 JANE MCPHERSON, DEANA PESSINA, SCOTT SIMMONS..... ASSISTANT SECRETARIES

REGIONAL PRESIDENTS (Appointed)

MARK BERGER..... REGIONAL PRESIDENT, NORTHEAST REGION
 STEVE BERRY..... REGIONAL PRESIDENT, NEW ENGLAND REGION
 CHRISTOPHER COX..... REGIONAL PRESIDENT SOUTHEAST REGION
 TIFFANY DALY..... REGIONAL PRESIDENT, MIDWEST REGION

I further certify that the following statement of the Company is true as taken from the records of said Company as of December 31, 2015.

ADMITTED ASSETS

Bonds at Amortized Values \$1,397,394,541
 Stocks at Market Value..... 425,235,072
 First Mortgage Loans 15,422,641
 Real Estate..... 4,283,852
 Cash in Office and Banks..... (3,039,296)
 Short Term Investments 18,598,980
 Agent's Balance (Less than 90 Days) 218,872,372
 Accrued Interest..... 12,671,289
 Other Assets..... 255,380,357
TOTAL ADMITTED ASSETS..... \$2,344,819,808

LIABILITIES

Reserve for Losses \$637,394,211
 Reserve for Loss Adjustment Expenses 117,616,168
 Reserve for Unearned Premiums..... 461,789,022
 Reserve for Other Underwriting Expenses..... 41,995,393
 Reserve for Taxes, Licenses, and Fees..... 1,660,783
 Loss Drafts in Transit..... 0
 Other Liabilities 63,726,194
 Total Liabilities 1,324,181,771
 Policyholders' Surplus..... 1,020,638,037
TOTAL..... \$2,344,819,808

Securities as deposited by law, included above = \$ 8,000,923

I further certify that the following is true and exact excerpt from Article IV, Section 2 of the By-Laws of NGM Insurance Company which is still valid and existing.

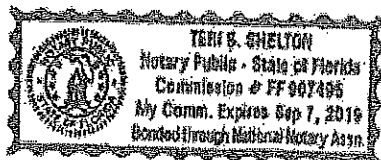
"The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

Subscribed and sworn to before me on
 this 14th day of March, 2016

IN WITNESS THEREOF I hereunto subscribe
 my name and affix the seal of said company
 this 14th day of March, 2016

[Signature]

[Signature]
 Nancy Giordano-Ramos



68-1191 (3/16)



CERTIFICATE OF LIABILITY INSURANCE

Page 1 of 2

DATE (MM/DD/YYYY)
07/25/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Willis of New York, Inc. c/o 26 Century Blvd P.O. Box 305191 Nashville, TN 372305191 USA		CONTACT NAME: PHONE (A/C, No, Ext): 1-877-945-7378 FAX (A/C, No): 1-888-467-2378 E-MAIL ADDRESS: certificates@willis.com	
INSURED UNITED METRO ENERGY CORPORATION 500 Kingsland Avenue Brooklyn, NY 11222		INSURER(S) AFFORDING COVERAGE	
		INSURER A: ACE American Insurance Company	NAIC # 22667
		INSURER B: AXIS Surplus Insurance Company	26620
		INSURER C: Indemnity Insurance Company of North America	43575
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES

CERTIFICATE NUMBER: W3075308

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			XSL G2785607A	08/31/2016	08/31/2017	EACH OCCURRENCE	\$ 1,500,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 250,000
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$ 6,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG	\$ 6,000,000
	OTHER:						SIR	\$ 1,500,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> OWNED AUTOS ONLY						BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/> SCHEDULED AUTOS							\$
	<input type="checkbox"/> NON-OWNED AUTOS ONLY							
B	<input checked="" type="checkbox"/> UMBRELLA LIAB			ENU776516/01/2016	08/31/2016	08/31/2017	EACH OCCURRENCE	\$ 2,000,000
	<input type="checkbox"/> EXCESS LIAB						AGGREGATE	\$ 2,000,000
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$							\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WLR C48610614	08/31/2016	08/31/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N					E.L. EACH ACCIDENT	\$ 2,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below	No	N/A				E.L. DISEASE - EA EMPLOYEE	\$ 2,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Proposal# 40512-07057-092.

For informational purposes only this placement is not managed by Willis Towers Watson
United Metro Energy Corp.:
ACE GL Policy # G2785607A is excess over:
First Federal Guarantee Insurance Company

CERTIFICATE HOLDER**CANCELLATION**

County of Nassau State of New York
Office of Purchasing
240 Old Country Road
Mineola, NY 11501-4255

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

AGENCY CUSTOMER ID: _____

LOC #: _____



ADDITIONAL REMARKS SCHEDULE

Page 2 of 2

AGENCY Willis of New York, Inc.		NAMED INSURED UNITED METRO ENERGY CORPORATION 500 Kingsland Avenue Brooklyn, NY 11222
POLICY NUMBER See Page 1		
CARRIER See Page 1	NAIC CODE See Page 1	EFFECTIVE DATE: See Page 1

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

Policy # FFG-GL-16-004; 8/31/2016 - 8/31/2017
Limit: \$1,500,000; SIR: \$15,000

Contractual Liability is included in the General Liability.

County of Nassau State of New York is included as Additional Insured as respects to General Liability.

CERTIFICATE OF INCORPORATION
OF
UNITED METRO ENERGY CORP.

The undersigned, for the purposes of forming a corporation under the laws of the State of Delaware, does make, file and record this Certificate of Incorporation, and does hereby certify as follows:

FIRST: The name of the corporation is United Metro Energy Corp. (the "Corporation").

SECOND: The address of the Corporation's registered office in the State of Delaware is The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801, New Castle County. The name of the Corporation's registered agent at such address is The Corporation Trust Company.

THIRD: The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the Delaware General Corporation Law, as amended from time to time (the "DGCL").

FOURTH: The total number of shares of all classes of capital stock which the Corporation shall have authority to issue is 5,000, of which 4,000 shares shall be Common Stock of the par value of \$.0001 per share and 1,000 shares shall be Preferred Stock of the par value of \$.0001 per share.

A. Preferred Stock. The Board of Directors is expressly granted authority to issue shares of the Preferred Stock, in one or more series, and to fix for each such series such voting powers, full or limited, and such designations, preferences and relative, participating, optional or other special rights and such qualifications, limitations or restrictions thereof as shall be stated and expressed in the resolution or resolutions adopted by the Board of Directors providing for the issue of such series (a "Preferred Stock Designation") and as may be permitted by the DGCL. The number of authorized shares of Preferred Stock may be increased or decreased (but not below the number of shares thereof then outstanding) by the affirmative vote of the holders of a majority of the voting power of all of the then outstanding shares of the capital stock of the Corporation entitled to vote generally in the election of directors, voting together as a single class, without a separate vote of the holders of the Preferred Stock, or any series thereof, unless a vote of any such holders is required pursuant to any Preferred Stock Designation.

B. Common Stock. Except as otherwise required by law or as otherwise provided in any Preferred Stock Designation, the holders of the Common Stock shall exclusively possess all voting power and each share of Common Stock shall have one vote.

FIFTH: The name and mailing address of the sole incorporator of the Corporation are as follows:

Name: Martin R. Bring
Address: c/o Ellenoff Grossman & Schole LLP
150 East 42nd Street
New York, New York 10017

SIXTH: The name and mailing address of the person who is to serve as the initial director of the Corporation pursuant to the terms set forth herein are as follows:

Name: John A. Catsimatidis
Address: 823 Eleventh Avenue
New York, New York 10019

SEVENTH: The following provisions are inserted for the management of the business and for the conduct of the affairs of the Corporation, and for further definition, limitation and regulation of the powers of the Corporation and of its directors and stockholders:

A. Election of directors need not be by ballot unless the by-laws of the Corporation so provide.

B. The Board of Directors shall have the power, without the assent or vote of the stockholders, to make, alter, amend, change, add to or repeal the by-laws of the Corporation.

C. The directors in their discretion may submit any contract or act for approval or ratification at any annual meeting of the stockholders or at any meeting of the stockholders called for the purpose of considering any such act or contract, and any contract or act that shall be approved or be ratified by the vote of the holders of a majority of the stock of the Corporation which is represented in person or by proxy at such meeting and entitled to vote thereat (provided that a lawful quorum of stockholders be there represented in person or by proxy) shall be as valid and binding upon the Corporation and upon all the stockholders as though it had been approved or ratified by every stockholder of the Corporation, whether or not the contract or act would otherwise be open to legal attack because of directors' interests, or for any other reason.

D. In addition to the powers and authorities hereinbefore or by statute expressly conferred upon them, the directors are hereby empowered to exercise all such powers and do all such acts and things as may be exercised or done by the Corporation; subject, nevertheless, to the provisions of the statutes of Delaware, of this Certificate of Incorporation, and to any by-laws from time to time made by the stockholders; provided, however, that no by-law so made shall invalidate any prior act of the directors which would have been valid if such by-law had not been made.

EIGHTH: A. A director of the Corporation shall not be personally liable to the Corporation or its stockholders for monetary damages for any breach of fiduciary duty by such director as a director, except for liability (i) for any breach of the director's duty of loyalty to the Corporation or its stockholders, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) under Section 174 of the DGCL, or (iv) for any transaction from which the director derived an improper personal benefit. If the DGCL is amended to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the Corporation shall be eliminated or limited to the fullest extent permitted by the DGCL, as so amended. Any repeal or modification of this paragraph A by the stockholders of the Corporation shall not adversely affect any right or protection of a director of the Corporation with respect to events occurring prior to the time of such repeal or modification.

B. The Corporation, to the full extent permitted by Section 145 of the DGCL, as amended from time to time, shall indemnify all persons whom it may indemnify pursuant thereto. Expenses (including attorneys' fees) incurred by an officer or director in

defending any civil, criminal, administrative, or investigative action, suit or proceeding for which such officer or director may be entitled to indemnification hereunder shall be paid by the Corporation in advance of the final disposition of such action, suit or proceeding upon receipt of an undertaking by or on behalf of such director or officer to repay such amount if it shall ultimately be determined that he is not entitled to be indemnified by the Corporation as authorized hereby.

NINTH: Whenever a compromise or arrangement is proposed between this Corporation and its creditors or any class of them and/or between this Corporation and its stockholders or any class of them, any court of equitable jurisdiction within the State of Delaware may, on the application in a summary way of this Corporation or of any creditor or stockholder thereof or on the application of any receiver or receivers appointed for this Corporation under Section 291 of Title 8 of the Delaware Code or on the application of trustees in dissolution or of any receiver or receivers appointed for this Corporation under Section 279 of Title 8 of the Delaware Code order a meeting of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this Corporation, as the case may be, to be summoned in such manner as the said court directs. If a majority in number representing three fourths in value of the creditors or class of creditors, and/or of the stockholders or class of stockholders of this Corporation, as the case may be, agree to any compromise or arrangement and to any reorganization of this Corporation as a consequence of such compromise or arrangement, the said compromise or arrangement and the said reorganization shall, if sanctioned by the court to which the said application has been made, be binding on all the creditors or class of creditors, and/or on all the stockholders or class of stockholders, of this Corporation, as the case may be, and also on this Corporation.

TENTH: The Corporation hereby elects not to be governed by Section 203 of the DGCL.

IN WITNESS WHEREOF, the undersigned incorporator has executed this Certificate of Incorporation this 20th day of February, 2013.

/s/ Martin R. Bring
Name: Martin R. Bring
Sole Incorporator

Delaware

PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "UNITED METRO ENERGY CORP." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE EIGHTE DAY OF APRIL, A.D. 2013.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "UNITED METRO ENERGY CORP." WAS INCORPORATED ON THE TWENTIETH DAY OF FEBRUARY, A.D. 2013.


AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE NOT BEEN ASSESSED TO DATE.

5291885 8300

130409951

You may verify this certificate online
at corp.delaware.gov/authver.shtml




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 0341278

DATE: 04-08-13

Delaware

PAGE 1

The First State

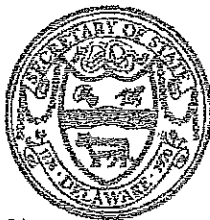
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF "UNITED METRO ENERGY CORP.", FILED IN THIS OFFICE ON THE TWENTIETH DAY OF FEBRUARY, A.D. 2013, AT 7:03 O'CLOCK P.M.


A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

5291885 9100

130201781

You may verify this certificate online
at corp.delaware.gov/authver.shtml



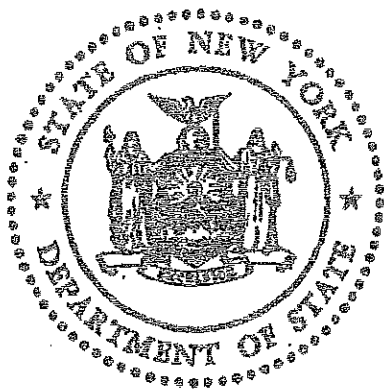

Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 0229565

DATE: 02-21-13

STATE OF NEW YORK

DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the
Department of State, at the City of Albany, on
February 28, 2013.

A handwritten signature in dark ink, appearing to read "Daniel E. Shapiro".

Daniel E. Shapiro
First Deputy Secretary of State

77

130228000 018

APPLICATION FOR AUTHORITY
OF

United Metro Energy Corp.

(Insert corporate name)

Under Section 1304 of the Business Corporation Law

2013 FEB 28 AM 8:20

FILED

Filed by: Tamar Donikyan
(Name)
C/O Ellenoff Grossman & Schole LLP
150 East 42nd Street
(Mailing address)
NY, NY 10017
(City, State and Zip code)

1CC

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED

FEB 28 2013

TAX \$ _____

BY: jc

newy

RECEIVED

2013 FEB 27 PM 12:11

est ref # 8689511mx
DRAWDOWN

jc

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130228000 018

New York State
Department of State
Division of Corporations, State Records
and Uniform Commercial Code
41 State Street
Albany, NY 12231
www.dos.state.ny.us

(This form must be printed or typed in black ink)

APPLICATION FOR AUTHORITY OF

United Metro Energy Corp.

(insert corporate name)

Under Section 1304 of the Business Corporation Law

FIRST: The name of the corporation is: _____

United Metro Energy Corp.

If the name does not contain a required word or abbreviation indicating corporate character, the corporation agrees to add the word or abbreviation _____ to the end of its name for use in this state.

(Do not complete this section unless the corporation's true name is not available pursuant to §301 or §302 of the Business Corporation Law.) The fictitious name under which the corporation will do business in New York is: _____

SECOND: The jurisdiction in which the corporation was organized is: Delaware

The date of its incorporation is: 02/20/2013

THIRD: This corporation is formed to engage in any lawful act or activity for which a corporation may be organized under the Business Corporation Law, provided that it is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency or other body without such consent or approval first being obtained.

FOURTH: The county within this state in which the office of the corporation is to be located is: New York. (A county in New York State must be stated. Please note that the corporation is not required to have an actual physical office in this state.)

DOS-1335 (Rev. 9/03)

FIFTH: The secretary of state is designated as agent of the corporation upon whom process against the corporation may be served. The address to which the secretary of state shall mail a copy of any process accepted on behalf of the corporation is:

United Metro Energy Corp.
823 Eleventh Avenue
New York, New York 10019


SIXTH: (optional): The name and street address within this state of the registered agent upon whom process against the corporation may be served is:

John A. Catsimatidis
823 Eleventh Avenue
New York, New York 10019

SEVENTH: (Check the statement that applies.)

☒ The foreign corporation has not since its incorporation or since the date its authority to do business in New York was last surrendered, engaged in any activity in this state.

☐ The consent of the State Tax Commission, consenting to the filing of this application, is attached.



(Signature)

Tamar Donikyan, attorney in fact on behalf of John A. Catsimatidis, CEO
(Type or print name and title of signer)



CBS Number
2-000275

New York State Department of Environmental Conservation
CHEMICAL BULK STORAGE CERTIFICATE
625 Broadway, 11th Floor, Albany, NY 12233-7020 Phone: 518-402-9553

Region 2
One Hunters Point Plaza, 1st Floor
47-40 21st Street, L.I. City, NY 11101-6454
(718) 482-6454

TANK NUMBER	DATE INSTALLED	TANK LOCATION AND TYPE	CAPACITY (GALLONS)	HAZARDOUS SUBSTANCE	% HAZ SUBST	CHEMICAL ABSTRACT #
19A	02/01/1995	AST - Steel/Carbon Steel/Iron	6,000	naphthalene ethylbenzene xylene (mixed)	1.00 5.00 36.00	91-20-3 100-41-4 1330-20-7
19B	02/01/1995	AST - Steel/Carbon Steel/Iron	6,000	naphthalene ethylbenzene xylene (mixed)	1.00 5.00 36.00	91-20-3 100-41-4 1330-20-7
20	02/01/1995	AST - Steel/Carbon Steel/Iron	4,000	vinyl acetate monomer xylene (mixed)	23.00 50.00	108-05-4 1330-20-7
21B	03/01/1995	AST - Steel/Carbon Steel/Iron	185	xylene (mixed)	29.00	1330-20-7
26A	04/01/2015	AST - Steel/Carbon Steel/Iron	12,000	vinyl acetate monomer xylene (mixed)	23.00 50.00	108-05-4 1330-20-7

FACILITY NAME & ADDRESS:
UNITED METRO ENERGY CORP.
498 KINGSLAND AVENUE
BROOKLYN, NY 11222

FACILITY (PROPERTY) OWNER:
UNITED METRO ENERGY CORP.
800 THIRD AVENUE
NEW YORK, NY 10022--

As the owner of this facility and/or the tanks at this facility, the receipt, posting, and use of this certificate is an acknowledgement that I am responsible to the extent required by law for ensuring that this facility is in compliance with all regulations for the bulk storage of hazardous substances including those regarding equipment requirements, inspections, handling procedures, recordkeeping, registration requirements, providing advanced notice to the Department of major changes to a tank system, spill reporting, and all other applicable requirements. Violations may be punishable as a criminal offense and/or a civil violation in accordance with applicable state and federal law.

Class B (Daily On-Site) Operator: JACK SPAIGHT
Class A (Primary) Operator: JACK SPAIGHT
Emergency Contact Name: JACK SPAIGHT
Emergency Contact Phone Number: (917) 853-1916

Tank Owner Name: SAME AS PROPERTY OWNER
Facility Phone Number: (718) 389-7772

This registration certificate must be kept current and conspicuously posted at this facility at all times. Posting must be at the tank, at the entrance of the facility, or the main office where the storage tanks are located.

ISSUED BY: Commissioner
Basili Seggos

CBS NUMBER: 2-000275
DATE ISSUED: 02/17/2017
EXPIRATION DATE: 03/06/2019
FEE PAID: \$ 550.00

MAILING CORRESPONDENCE:

ANTHONY F. VALENTE
UNITED METRO ENERGY CORP.
500 KINGSLAND AVENUE
BROOKLYN, NY 11222

Spills must be reported to the DEC within two hours (1-800-457-7362).

Signature of Facility Owner/Authorized Representative: *Anthony F. Valente* Date: 2/24/2017
Printed Name and Title of Facility Owner/Authorized Representative: Anthony F. Valente VP General Counsel

Print Date: 2/17/2017

THIS REGISTRATION CERTIFICATE IS NON-TRANSFERABLE

Page 1 of 1



Department of the Treasury
Internal Revenue Service

UNITED METRO ENERGY CORP
500 KINGSLAND AVE
BROOKLYN, NY 11222

Date:
03/27/2013
Person to contact:
Hank A. Ruehl
Employee identification number:
1000209614
Contact telephone number:
908-301-2228
Contact fax number:
908-301-2192
Taxpayer identification Number:
46-2112871
Approved registration number:
2013-001329-M-S-UB-UV
Effective date of registration:
03/27/2013

Letter of Registration

Dear UNITED METRO ENERGY CORP

We've approved your Form 637, *Application for Registration (For Certain Excise Tax Activities)* under section 4041 of the Internal Revenue Code. Your registration number and the effective date of registration are shown above. We registered you for the following activities:

The "M" activity in your registration number signifies a blender of gasoline, diesel fuel (including a diesel-water fuel emulsion), or kerosene, producing a taxable fuel outside the bulk transfer/terminal system, including blenders of alcohol fuel mixtures, alternative fuel mixtures, biodiesel mixtures, and renewable diesel mixtures.

The "S" activity in your registration number signifies an enterer, position holder, refiner, terminal operator, or throughputter of gasoline, diesel fuel (including a diesel-water fuel emulsion), or kerosene, or industrial user of gasoline.

The "UB" activity in your registration number signifies an ultimate vendor that sells undyed diesel fuel or undyed kerosene for use in certain intercity and local buses.

The "UV" activity in your registration number signifies an ultimate vendor that sells (a) undyed diesel fuel or undyed kerosene to a state or local government for its exclusive use, or (b) gasoline (including aviation gasoline) to a state or local government for its exclusive use or to a nonprofit educational organization for its exclusive use.

The enclosed Publication 5039, *Terms and Conditions of Registration*, explains what you must do to keep your registration in good standing.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely, C40BB

Digitally signed by
Hank A. Ruehl, for Holly L. McCann
DN: cn=Hank A. Ruehl, o=IRS, ou=Internal Revenue Service, email=hank.a.ruehl@irs.gov

Hank A. Ruehl, for Holly L. McCann
Chief, Excise Tax Program

Letter 3689 (8-2012)
Catalog Number 36285V

**Authorization to Issue Preliminary Certifications**

(for Prepayment and Payment of Taxes on Motor Fuel and Diesel Motor Fuel)

Date: 11/10/16

United Metro Energy Corp.
500 Kingsland Avenue
Brooklyn, New York 11222

Valid from	02/01/17	through	01/31/18
Issued to	United Metro Energy Corp.		
Certificate number	462112871		

Before the first sale during the period covered by this document, a seller must furnish a copy of this document to its purchaser. The purchaser must retain a copy of this authorization for a period of 30 days beyond the expiration date shown above.

Mark an X in one or both: Motor fuel ☒ Diesel motor fuel ☒

Seller: Based on the information you furnished to the Department of Taxation and Finance, you are authorized to issue preliminary certifications only for deliveries made under those circumstances and from those locations identified in your request for authorization to issue preliminary certifications. If you fail to receive written permission from the Tax Department for any changes in the circumstances and locations listed in your request for authorization, the Tax Department may revoke your authorization to issue preliminary certifications.

Motor fuel only: Wholesalers or jobbers not registered as distributors of motor fuel may issue preliminary certifications only for motor fuel that was purchased from registered distributors of motor fuel that were listed on their request for authorization. These wholesalers and jobbers must notify the Tax Department within five days of any changes in their suppliers, or in the names of the distributors who will be remitting the tax.

Purchaser: You may accept preliminary certifications from the named seller only for purchases made during the period in which this authorization is valid.

I certify that the New York State motor fuel tax, diesel motor fuel tax, petroleum business tax, and prepaid sales tax required to be paid on any fuel sold to this purchaser during the valid period above have been paid or have been assumed and will be paid by me or were passed through to me by my supplier. In addition, I certify that my current authorization to issue preliminary certifications, which is being provided to you now, has not been revoked and is currently in effect. I also certify that the amounts of these taxes will be stated to the purchaser within 10 business days of any delivery and in a form acceptable to the New York State Department of Taxation and Finance.

Signature of seller or representative

Date

For information about this authorization, call or write to:

NYS DEPT OF TAX AND FINANCE
TTTB REGISTRATION AND BOND UNIT
W A HARRIMAN CAMPUS — BLDG 8
ALBANY NY 12227
Telephone (518) 457-8573**Replying for the authorization to issue preliminary certifications**

To reply for the authorization to issue preliminary certifications, a seller must submit his or her request to the Department 30 days before the expiration date on Form FT-903. The seller must again demonstrate that due to the circumstance of delivery, it is not possible to issue a complete certification at the time of delivery. The seller must list the locations from where the preliminary certifications will be issued. A seller is authorized to issue preliminary certifications only for deliveries made under

those circumstances and from those locations listed in the seller's request for authorization to issue preliminary certifications. **Motor fuel only:** If the seller is not a registered distributor of motor fuel, the seller must provide the Tax Department with all the names of the registered distributors of motor fuel who will be paying the taxes on the motor fuel; the Tax Department will grant approval only for purchases from those named registered distributors.



Department of
Environmental
Conservation

New York State
Department of Environmental Conservation

MAJOR PETROLEUM FACILITY LICENSE

FACILITY:

UNITED METRO ENERGY CORP.
498 KINGSLAND AVENUE
BROOKLYN, NY 11222

LICENSEE:

UNITED METRO ENERGY CORP.
500 KINGSLAND AVENUE
BROOKLYN, NY 11222

The facility named above has been duly licensed, pursuant to Article 12 of the Navigation Law. Any conditions placed on this license are marked on the attached Special Conditions Check List.

MAILING CORRESPONDENCE:

LICENSE NUMBER: 2-1380
DATE ISSUED: 3/23/2017
EXPIRATION DATE: 3/31/2020

ATTN: ANTHONY F. VALENTE
UNITED METRO ENERGY CORP.
500 KINGSLAND AVENUE
BROOKLYN, NY 11222

Commissioner of Environmental Conservation

By 

Title Regional Director

THIS LICENSE IS NON-TRANSFERABLE



Department of
Environmental
Conservation

New York State Department of Environmental Conservation

MAJOR PETROLEUM FACILITY LICENSE

Tank Listing For License Number: 2-1380

Page 1 of 2

TANK NUMBER	DATE INSTALLED	TANK LOCATION	TANK TYPE	CAPACITY (Gallons)	PRODUCT STORED
1	05/01/2000	Underground including vaulted with no	Fiberglass Reinforced Plastic	4,000	gasoline
10A	01/01/1930	Underground including vaulted with no	Steel/Carbon Steel/Iron	18,772	biodiesel
11A	01/01/1930	Underground including vaulted with no	Steel/Carbon Steel/Iron	18,668	biodiesel
12A	01/01/1930	Underground including vaulted with no	Steel/Carbon Steel/Iron	18,772	biodiesel
13A	01/01/1930	Underground including vaulted with no	Steel/Carbon Steel/Iron	18,772	biodiesel
14A	01/01/1930	Underground including vaulted with no	Steel/Carbon Steel/Iron	18,719	biodiesel
15A	01/01/1930	Underground including vaulted with no	Steel/Carbon Steel/Iron	18,772	biodiesel
16A	01/01/1930	Underground including vaulted with no	Steel/Carbon Steel/Iron	18,772	biodiesel
17A	01/01/1930	Underground including vaulted with no	Steel/Carbon Steel/Iron	18,719	biodiesel
18A	01/01/1930	Underground including vaulted with no	Steel/Carbon Steel/Iron	18,782	biodiesel
2	05/01/2000	Underground including vaulted with no	Fiberglass Reinforced Plastic	4,000	diesel
22	04/20/2005	Aboveground - in contact with	Steel/Carbon Steel/Iron	863,400	#6 fuel oil
23	06/05/2005	Aboveground - in contact with	Steel/Carbon Steel/Iron	475,900	gasoline/ethanol
24	12/22/2005	Aboveground - in contact with	Steel/Carbon Steel/Iron	475,900	gasoline/ethanol
25	12/22/2005	Aboveground - in contact with	Steel/Carbon Steel/Iron	475,900	gasoline/ethanol
26	10/01/2006	Aboveground - in contact with	Steel/Carbon Steel/Iron	1,011,500	#2 fuel oil
27	09/01/2006	Aboveground - in contact with	Steel/Carbon Steel/Iron	451,200	#2 fuel oil
28	01/10/2006	Aboveground - in contact with	Steel/Carbon Steel/Iron	451,200	biodiesel
3	01/01/1930	Underground including vaulted with no	Steel/Carbon Steel/Iron	881,300	#6 fuel oil
4	01/01/1930	Aboveground - in contact with	Steel/Carbon Steel/Iron	440,600	other
5	01/01/1930	Aboveground - in contact with	Steel/Carbon Steel/Iron	440,600	#2 fuel oil
56A	12/01/2004	Aboveground on saddles, legs, stilts,	Steel/Carbon Steel/Iron	275	#2 fuel oil (on-site)
56B	12/01/2004	Aboveground on saddles, legs, stilts,	Steel/Carbon Steel/Iron	275	#2 fuel oil (on-site)
57A	12/01/2004	Aboveground on saddles, legs, stilts,	Steel/Carbon Steel/Iron	275	#2 fuel oil (on-site)
57B	12/01/2004	Aboveground on saddles, legs, stilts,	Steel/Carbon Steel/Iron	275	#2 fuel oil (on-site)



Department of
Environmental
Conservation

New York State Department of Environmental Conservation

MAJOR PETROLEUM FACILITY LICENSE

Tank Listing For License Number: 2-1330

Page 2 of 2

TANK NUMBER	DATE INSTALLED	TANK LOCATION	TANK TYPE	CAPACITY (Gallons)	PRODUCT STORED
6	01/01/1966	Aboveground - in contact with	Steel/Carbon Steel/Iron	1,699,500	#2 fuel oil
7	06/01/1975	Aboveground - in contact with	Steel/Carbon Steel/Iron	519,100	gasoline/ethanol
8	06/01/1975	Aboveground - in contact with	Steel/Carbon Steel/Iron	519,100	gasoline/ethanol
9A	01/01/1930	Underground including vaulted with no	Steel/Carbon Steel/Iron	18,668	biodiesel

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 2
47-40 21st Street, Long Island City, NY 11101
P: (718) 482-4995
718/482-4995

March 24, 2017

BY CERTIFIED MAIL AND E-MAIL (jackspaight@decny.com)

JACK SPAIGHT
UNITED METRO ENERGY CORP.
500 KINGSLAND AVENUE
BROOKLYN, NY 11222

Dear Mr. Jack Spaight:

Enclosed herein is your Onshore Major Oil Storage Facility License number 2-1380, which expires March 31, 2020. You must reapply 90 days before that date and comply with any new or modified conditions or guidelines to prevent, contain, cleanup, and remove discharges of petroleum to surface and groundwater. Scheduled facility inspections will be made by the Department representatives, as well as random inspections. Information regarding license fees and surcharges will be sent by the Department's Division of Management and Budget, Oil Spill Revenue Unit.

The Department bases the issuance of this license upon an evaluation of the information contained in your application, on-site facility inspections, and:

☒ evaluation of submitted State and Federal plans to prevent, control, contain, and remove discharges; OR ☐ a schedule of when such plans are to be submitted.

The Department hereby certifies that the facility operator currently:

☒ has implemented OR ☐ is in the process of implementing: State and Federal plans and regulations for the prevention, control, containment, and removal of discharges; AND

☒ has implemented OR ☐ is in the process of implementing: the requirements of 6 NYCRR Part 613.

Included in your license are General and Special Conditions as deemed necessary to protect the waters of the State based upon evaluation of State and Federal plans, compliance with 6 NYCRR Part 613, environmental setting and/or facility inspections.

Future license renewals will be based on, among other factors, the history of spills and discharges at the facility, the history of compliance with the applicable provisions of 6 NYCRR Part 613, a review of submitted plans and inspections of the facility, compliance with license conditions and additional guidelines as subsequently issued.

Please post this license conspicuously at the facility for which it is issued.

Sincerely,

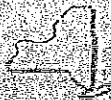


Stephen Zahn
Regional Director
Region 2 - New York City

cc: MOSF 2-1380 file



Department of
Environmental
Conservation



New York State Department of
Taxation and Finance

Sales Tax Registration

W A Harriman Campus

Albany, NY 12227

304/4348331700-AP00



UNITED METRO ENERGY CORP
500 KINGSLAND AVE
BROOKLYN, NY 11222-1925

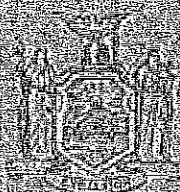
New York State Department of Taxation and Finance

Certificate of Authority

Identification number

46-2112871

(Use this number on all returns and correspondence)



VALIDATED

4/19/2013

Dept of Tax
and Finance

UNITED METRO ENERGY CORP
500 KINGSLAND AVE
BROOKLYN, NY 11222-1925

is authorized to collect sales and use taxes under Articles 28 and 29 of the New York State Tax Law

Nontransferable

This certificate must be prominently displayed at your place of business.
Fraudulent or other improper use of this certificate will cause it to be revoked.
The certificate may not be photocopied or reproduced.

Photograph is copyright of NYS Empire State Development

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DTF-17-A (9/10)



New York State
Department of Taxation and Finance
Albany NY 12227

No. D-462112871
Date: March 11, 2013

Distributor of Diesel Motor Fuel Registration Certificate

This Certifies That
UNITED METRO ENERGY CORP.

**823 11TH AVENUE
NEW YORK, NY 10019**

has applied under the provisions of Article 12-A of the Tax Law and is duly registered as a distributor of diesel motor fuel and may import or cause to be imported, produce, refine, manufacture, compound, blend, and sell diesel motor fuel pursuant to the provisions of said statute.

A violation of any provision of Articles 12-A or 28 of the Tax Law, or of any applicable requirement, rule, or regulation of the Department of Taxation and Finance made pursuant to Articles 12-A or 28 of the Tax Law, or any grounds specified in section 283 of the Tax Law, shall constitute sufficient cause for the suspension or cancellation of this registration.

This registration is not transferable and shall remain in force until canceled, revoked, suspended, or terminated.

Thomas H. Mattox, Commissioner
Commissioner of Taxation and Finance

This registration must be prominently displayed in your place of business listed above. Change of name or address of individual, partnership, or corporation, and change of officers or directors, or their addresses, must immediately be reported to the Commissioner of Taxation and Finance. See other side.



New York State
Department of Taxation and Finance
Albany NY 12227

No. M-462112871
Date: March 11, 2013

Distributor of Motor Fuel

This Certifies That
UNITED METRO ENERGY CORP.

823 11TH AVENUE
NEW YORK, NY 10019

is duly registered as a distributor of motor fuel pursuant to the provisions of Article 12-A of the New York State Tax Law.

A violation of any provision of Articles 12-A of the Tax Law or of any requirement, rule, or regulation of the Department of Taxation and Finance made pursuant to Article 12-A of the Tax Law, or the existence of any grounds listed in section 283.4 or 283.5 of the Tax Law, shall constitute sufficient cause for cancellation or suspension of this license.

This registration may not be transferred without the prior written approval of the Department of Taxation and Finance and shall remain in force until canceled or suspended. Any change in partners, officers, or directors, must be immediately reported to the Tax Department.

Thomas H. Mattox, Commissioner

Commissioner of Taxation and Finance



New York State
Department of Taxation and Finance
Albany NY 12227

No. T-462112871
Date: March 11, 2013

License as a Terminal Operator

This Certifies That
UNITED METRO ENERGY CORP.

**823 11TH AVENUE
NEW YORK, NY 10019**

is duly licensed as a terminal operator pursuant to the provisions of Article 12-A of the New York State Tax Law.

A violation of any provision of Articles 12-A of the Tax Law or of any requirement, rule, or regulation of the Department of Taxation and Finance made pursuant to Article 12-A of the Tax Law, or the existence of any grounds listed in section 283-b of the Tax Law, shall constitute sufficient cause for cancelation or suspension of this license.

This license may not be transferred without the prior written approval of the Department of Taxation and Finance and shall remain in force until canceled, suspended, or terminated. Any change of address of licensee, or change of partners, officers, or directors, or their addresses, must be immediately reported to the Tax Department.

Thomas H. Mattox, Commissioner
Commissioner of Taxation and Finance



FORMAL BID RECOMMENDATION

BID NUMBER 40512-07057-092
TITLE: No. 2 Heating Oil and Diesel
DATE: December 11, 2017
TO: BUYER - Timothy Funaro

OPEN December 11, 2017

FROM: ADMINISTRATION

PLEASE REVIEW ATTACHED BID RESULT. NOTE YOUR RECOMMENDATION FOR AWARD.
FORWARD THIS TRANSMITTAL SHEET TOGETHER WITH BID FILE. RETAIN REQUISITION.

<p>Date: December 11, 2017 To: Supervisor From: Buyer Timothy Funaro</p> <p>List of recommended awards in accordance with the at attached summary is shown in column at right. The reason for award to other than low bidder is indicated on the reverse side of this page.</p> <p><i>Timothy Funaro</i> Buyer</p>		Bid Results	
		Item	Bidder
		1	Recommend an award be given to Global Montello Group
		2	Recommend an award be given to Sprague Operating Resources LLC.
		3, 4	Recommend an award be given to United Metro Energy Corp.
			The Emergency Preparedness Plan be Award to all three of the vendors
			Global Montello Group, Sprague Operating Resources LLC. and United Metro Energy Corp. are the lowest responsible bidders meeting specifications and bid terms
			See Attached
<p>Date: _____</p> <p>To: Director From: Supervisor</p> <p><input type="checkbox"/> Concur <input type="checkbox"/> Disagree (See Reverse)</p>			
<p>Date: <u>12/11/17</u></p> <p>To: Buyer <input checked="" type="checkbox"/> From: Director <input type="checkbox"/></p> <p><input type="checkbox"/> Approved for Award</p> <p><input type="checkbox"/> Hold award pending discussion</p> <p>NO <input type="checkbox"/> Subject to Legislature Approval</p> <p>YES <input checked="" type="checkbox"/> Subject to Legislature Approval</p> <p><i>S. [Signature]</i> Director</p>			

