

TOWN OF ANDES *REGULAR MONTHLY MEETING *MAY 12,'09**PRESENT:**

Councilman Ritchie Gabriel
Councilman Daniel Grommeck
Councilman Martin Liddle
Councilman Shayne Moshier
Supervisor Martin A. Donnelly
Town Clerk Janis L. Jacques
Highway Supt. Michael McAdams
Assessor Tina Moshier
Bookkeeper Meg Hungerford
Keough Consulting Marge Merzig

ALSO:

T. W. Coddington { Walton Reporter }

CALL TO ORDER:

Supv. Donnelly called the meeting to order at 7:30 P.M..

PLEDGE:

The Pledge of Allegiance was recited lead by Councilman Gabriel.

BID OPENING:

The following bids were opened and read. { As advertised. }
C. E. Kiff Inc. and Mirabito Fuel Group
Non-collusive bid certificates included

**RES. #36 BID AWARD - FUEL OIL { Heating Town Highway
 Shop/Town Hall / Town Court & the Library }**

**BE IT RESOLVED that; C. E. Kiff Inc. is HEREBY awarded the bid
 for fuel oil. { Fixed price \$1.949 per gallon * May 13, 2009 thru April
 30, 2010 }**

**Proposed by Councilman Liddle
 Second by Councilman Moshier**

ROLL CALL:

Councilman Gabriel-----AYE
Councilman Grommeck--AYE
Councilman Liddle-----AYE
Councilman Moshier-----AYE
Supv. Donnelly-----AYE
VOTE: ALL AYE. So carried.

EXECUTIVE SESSION

**MOTION made by Councilman Grommeck second by Councilman
 Liddle to enter Executive Session.**

VOTE: ALL AYE. So carried.

TIME: 7:40 P.M.

REASON: Personnel

**MOTION made by Councilman Liddle second by Councilman
 Grommeck to exit Executive Session.**

VOTE: ALL AYE. So carried.

TIME: 7:45 P.M.

Privilege Of The Floor: NONE

Town of Andes Highway Report

Michael R. McAdams, Highway Superintendent

May 12, 2009

Equipment:

2009 Int 4x4 – Taken to Ben Funk's, installed jake brake, installed tool box and fixed recall

2004 Int 7600 – Taken to Ben Funk's to replace front spring under warranty, got inspected

2004 Int 4x4 – Replaced brake can, fixed lights and back up alarm 4 fender blinker

2000 Int – Installed new driver's side mirror and brackets, front fender, head light assemble, blinker light and cleaned batteries and replaced battery box latches, taken to Dickson Diesel for inspection

1999 Int – Fixed lights, replaced back up alarm, front spring, tie rod ends and bar, brake lines and inspected

1991 Autocar 4x4 – Replaced rear brake can, adjusted brakes , fixed lights and back up alarm. Taken to Dickson Diesel for front end work and inspection

2000 F550 – Installed new emergency brake cable, and rear brake line and bleader screws

1978 Cat Grader – Installed new muffler and exhaust pipe

Roads:

Worked all of Dingle Hill Road, Davis Hollow , Wolf Hollow and State Road, Bullet Hole Rd, Ruff Rd

Replaced 3 pipes on Shaver Hollow Road, 3 pipes in Gladstone Hollow

We will be putting gravel on Shaver Hollow and will be working this road and Bussey Hollow.

We have been mowing along banks on the town roads.

We will be going to Barkaboom to put in 2 new pipes

Ditching Gladstone Hollow will begin shortly.

Weaver Hollow will be worked in a couple of weeks.

Other:

The Highway Building has been cleaned up

I received the letter from the State about the \$395,715.00 that is available from CHIPS for work to be done on the Town Roads. I will begin this work shortly.

Respectfully Submitted,

Michael R. McAdams

Highway Superintendent

Supv. Donnelly: “ I would like to thank Mike as that is quite a chunk of CHIPS money.”

“ Mike { Supt. McAdams } being fully aware of the impact that every dollar has on our tax payers has indicated to me - our Town Board and Highway Committee - that at this time he would like to hire one new employee on a probationary basis. He will be hiring as of May 18, 2009. The other position, he has in his budget, he will freeze. This will allow those funds to be applied to the new highway garage. Again Mike, I thank you for recognizing the economy and feeling you can save our taxpayers money.”

Supt. McAdams: “ Thank you Marty and Town Board. Yes, this is what I have decided to do.”

FROM THE SUPERVISOR:

1. We have received the first semi-annual Mortgage Tax check from Delaware County in the amount of \$9,532.96. That amount was short of what we were expecting but we receive another payment which may help to meet our goal.
2. On May 6th the Town Board held a Special Meeting for the purpose of awarding the bid for the Gladstone Hollow Culvert. { As advertised } The bid was awarded to Pierce Excavating LLC of West Oneonta. The minutes and all bids are on file in the Town Clerk's Office.
3. Mike O'Reilly, of Delaware Engineering, sent a copy of his letter in answer to questions raised by Michael Bosak R.A. of N.Y.S.. This was in reference to the new Town of Andes Highway Garage. { Letter on file }
4. I was able to obtain another flag pole, like the one we put here at Town Hall. This one will be for the Veteran's Park by the library. This will be installed after Memorial Day due to tight schedules.

Now to answer some questions that people have recently asked and to update you:

CELL TOWERS:

WE are ready - contracts and all. BUT - JNS has advised us that Verizon will do nothing until the economy changes around. We have JNS continuing to look for a new vendor.

GRANTS & LOW INTEREST LOANS:

We have received the following since Jan. 1st, 2009:

Low interest loan from U.S.D.A. for our new Highway Garage ---
\$1,650,000.00

Grants from N.Y.S. Court System - Judge Grieco - Town Court ---
\$1,400.00 AND \$30,000.00

**Grant from U.S.D.A. for needed repairs to the old Village reservoir and replacement of gauges ----
\$240,000.00**

**Grant from U.S.D.A. for the new Highway Garage ----
\$50,000.00**

**Grant from C.W.C. for the Coulter Road Storm Water Retro Fit Program ----
\$415,000.00**

**Grant from C.W.C. for the Gladstone Hollow Replacement Culvert ----
\$100,000.00 w/ an increase of \$27,000.00 for a total of
\$127,000.00**

**Grant from C.W.C. for the High Street Retro Fit Program ----
\$410,000.00**

**Grant from C.W.C for the Storm Water Infrastructure & Assessment Planning Project ----
\$35,275.00**

**Grant from Roxbury Arts Group for 4 concerts in Ballentine Park ----
\$1,750.00**

**Member Item from Sen. Bonacic for Town Hall completion ----
\$10,000.00**

Please note that every Grant we apply for is committed to a particular project and can only be used for that purpose - unless special permission to change the project is granted.

We are working on more and I will keep you up-dated.

Respectfully submitted,

**Martin A. Donnelly
Town of Andes Supervisor**

FROM THE TOWN CLERK

- 1. All certifications have been completed and sent.
- 2. This months { MAY } Planning Board & Z.B.A. meetings will be held as follows:

Z.B.A. @ Town Hall on MONDAY - MAY 18th @ 7:00 P.M. { IF NEEDED }

Planning Bd. @ Town Hall on MONDAY - MAY 18th @ 8:00 P.M.

ALSO FORMAL GRIEVANCE:

TUESDAY - MAY 26th from 9:00 A.M. to 9: P.M. { by appointment }

- 3. ALL offices will be closed on Memorial Day.
- 4. My Deputy - Sharon Drew - has been on a WELL DESERVED vacation. She will be back in the office on Friday May 15th.

Respectfully submitted,
 Janis L. Jacques
 Andes Town Clerk

Supv. Donnelly: " I would just like to add this. You have no idea what things come up on a daily basis that I can't always follow up on the same day because of one thing or another. So I leave it to Janis and she steps up to the plate and gets it done. So I personally thank you, Janis. "

Tom Coddington: " I would like to thank you for getting the new flag pole for Veteran's Park. Also, the flag we had is no longer serviceable and I have received one from Senator Gillibrand's office. "

Supv. Donnelly: " We have a new P.O.W. flag to go with it because we had already obtained a new flag for it to be put on when it is put up. So when the one from Senator Gillibrand needs replacing, we have one to replace it. Thank you Tom."

Supv. Donnelly: " On behalf of our Town Government & citizens of Andes - a big *thank you* to Bill Day for the dart tournament that raised money for new flags on Main Street."

MOTIONS:

MOTION made by Councilman Moshier second by Councilman Liddle to approve the purchase of a steam cleaner to be used in Town Hall & Town Court.

VOTE: ALL AYE. So carried.

MOTION made by Councilman Liddle second by Councilman Gabriel to approve a Clean Up Day in June 2009 to be set up & coordinated by Ann Roberti. The Town of Andes will have NO responsibility and / or liability.

VOTE: ALL AYE. So carried.

MOTION made by Councilman Liddle second by Councilman Moshier to authorize Supv. Donnelly to sign the contract w/ the Village of Delhi for Street Sweeping services.

VOTE: ALL AYE. So carried.

RESOLUTIONS:

**RES. #37 BOARD OF ASSESSMENT REVIEW CLERK
BE IT RESOLVED that; Jennifer Meres is HEREBY appointed as
Clerk of the Board of Assessment Review. { No benefits }**

Proposed by Councilman Moshier

Second by Councilman Liddle

ROLL CALL:

Councilman Gabriel-----AYE

Councilman Grommeck---AYE

Councilman Liddle-----AYE

Councilman Moshier-----AYE

Supv. Donnelly-----AYE

VOTE: ALL AYE. So carried.

RES. #38 SEASONAL TRANSFER STATION EMPLOYEE

BE IT RESOLVED that; Jay L. Wright is **HEREBY** appointed as seasonal employee at the Andes Transfer Station. { From May 23, 2009 thru Oct. 14, 2009 - No benefits }

Proposed by Councilman Liddle

Second by Councilman Moshier

ROLL CALL:

Councilman Gabriel-----AYE

Councilman Grommeck---AYE

Councilman Liddle-----AYE

Councilman Moshier-----AYE

Supv. Donnelly-----AYE

VOTE: ALL AYE. So carried.

MINUTES:

MOTION made by Councilman Gabriel second by Councilman Liddle to approve the minutes.

VOTE: ALL AYE. So carried.

REPORTS:

MOTION made by Councilman Liddle second by Councilman Grommeck to approve the following reports: April Town Clerk Financial Report / April Bookkeeper's Financial Report / April Court Financial Report / April Building Dept. Report / April D.C.O. Report / April Highway Report.

VOTE: ALL AYE. So carried.

WARRANTS:

MOTION made by Councilman Liddle second by Councilman Moshier to approve the Warrants as follows:

General	#129-#171	\$20,071.52
Highway	#79-#96	35,623.94
FEMA	#2-ONLY	3,200.00
H2O	#21-#24	540.36
WWTP	#65-#92	57,194.71

VOTE: ALL AYE. So carried.

DELAWARE OPERATIONS, INC.

8-12 Dietz Street, Suite 303, Oneonta NY 13820 • Phone 607-432-8073 • FAX 607-432-0432

**TOWN OF ANDES, NY
TOWN BOARD MEETING
REPORT BY DELAWARE OPERATIONS
May 12, 2009**

- 1. WWTP Plant**
 - Plant effluent flows averaged 31,100 gallons per day for the month of April 2009.

- 2. SPDES Compliance/NYSDEC, NYCDEP**
 - The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for April 2009 did not meet all parameters. Ammonia was over the permit limit due to maintenance of the SBR units.

- 3. Collection System**
 - High Street is being maintained as required.

- 4. Plant Purchases.**
 - Delaware Operations requests the approval to purchase a Flammable Liquid Safety Cabinet with a 12-gallon capacity from Lab Safety Supply at a cost of \$405.00 plus shipping.

- 5. Plant O&M**
 - Delaware Operations requests the approval for R.L. Stone to perform yearly calibration of the influent and effluent flow meters. The cost to calibrate both meters including travel and mileage shall not exceed \$802.50.

 - Delaware Operations requests the approval to have Turnkey Control Solutions Inc. upgrade the memory hardware in three computers at the WWTP. The cost shall not exceed \$625.00.

- 1. Water System**
 - Daily usage of treated water from the water system averaged 14,800 gallons per day for the month of April 2009.

- 2. Plant Purchases**

- 3. O&M**

... made by ...
... has ...
... requests: ...
... Liddle second by Mr. Moshier to approve the

Lab Safety Supply

Not to exceed \$405.00
Plus shipping
Not to exceed \$802.50

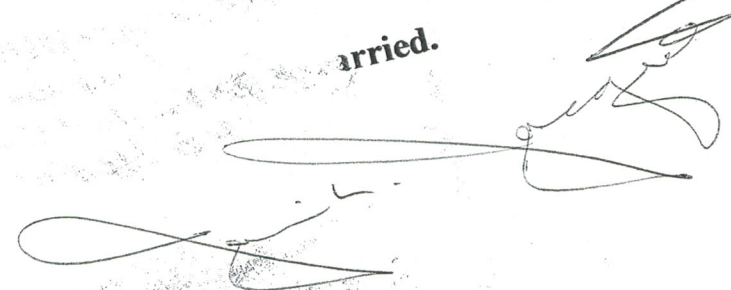
R. L. Stone

Turnkey Control Sol.
... rried.

Not to exceed \$625.00

... Councilman Liddle second by Councilman Gabriel

... rried.



Shayne Moshier
Martin Liddle TC
Martin Liddle TC
Martin Liddle TC
A.S.

Void

The word "Void" is written in a cursive, handwritten style. A large, sweeping checkmark-like stroke is drawn over the word, starting from the top left and curving around the right side of the word.

[Faint, illegible handwritten text]

No.	Description	Sh. Wt. (lbs.)	Each
88E-894E	Extra Shelves, 30, 45 or 90 gal.	10	\$42.50
88E-1289E	Extra Shelves, 60 gal.	16	84.70
88E-7905	Bottom Tray, 30 or 45 gal.	2	52.50
88E-7906	Bottom Tray, 60 gal.	2.25	73.10
88E-10838	Shell Tray, 60 gal.	4	73.10
88E-23531	Extra Value Tray Package, 30 or 45 gal.	10.06	77.80
			74.00

*FM Approved. Available only in yellow.			
No.	Description	Sh. Wt. (lbs.)	Each
88E-65495+	Double	90	1,056.00
88E-18531*	Double	60	920.00
88E-142998*	Single	60	970.00
88E-1624*	Double	45	1,021.00
88E-9035*	Single	45	788.00
88E-1623*	Double	30	771.00
88E-9033*	Single	30	810.00
88E-64660	Single	24	626.00
88E-13097	Single	16	597.00
88E-22603	Single	12	626.00
88E-22602	Single	4	581.00

Self-Closing Door Cabinets			
No.	Description	Sh. Wt. (lbs.)	Each
88E-65494+	Double	90	1,033.00
88E-9038*	Double	60	769.00
88E-142999+	Single	60	808.00
88E-9036*	Double	45	910.00
88E-9034*	Double	30	659.00
88E-64659	Single	24	565.00
88E-22604	Single	18	547.00
88E-13098	Single	12	429.00
88E-22602	Single	4	407.00

Standard Door Cabinets			
No.	Door Style (gal.)	Cap. (lbs.)	Each
88E-22602	Single	4	\$314.00
88E-13098	Single	12	405.00
88E-22604	Single	18	429.00
88E-64659	Single	24	547.00
88E-9034*	Double	30	565.00
88E-9036*	Double	45	659.00
88E-142999+	Single	60	910.00
88E-9038*	Double	60	808.00
88E-65494+	Double	90	1,033.00

No.	Door Style (gal.)	Cap. (lbs.)	Ext. Dim. (in.)	Sh. Wt. (lbs.)	Each
88E-22602	Single	4	17 1/2	18	\$314.00
88E-13098	Single	12	23	18	405.00
88E-22604	Single	18	23	18	429.00
88E-64659	Single	24	23	18	547.00
88E-9034*	Double	30	43	18	565.00
88E-9036*	Double	45	43	18	659.00
88E-142999+	Single	60	31 1/2	18	910.00
88E-9038*	Double	60	31 1/2	18	808.00
88E-65494+	Double	90	43	18	1,033.00

Optional Extra Value Tray Package helps contain incidental spills.



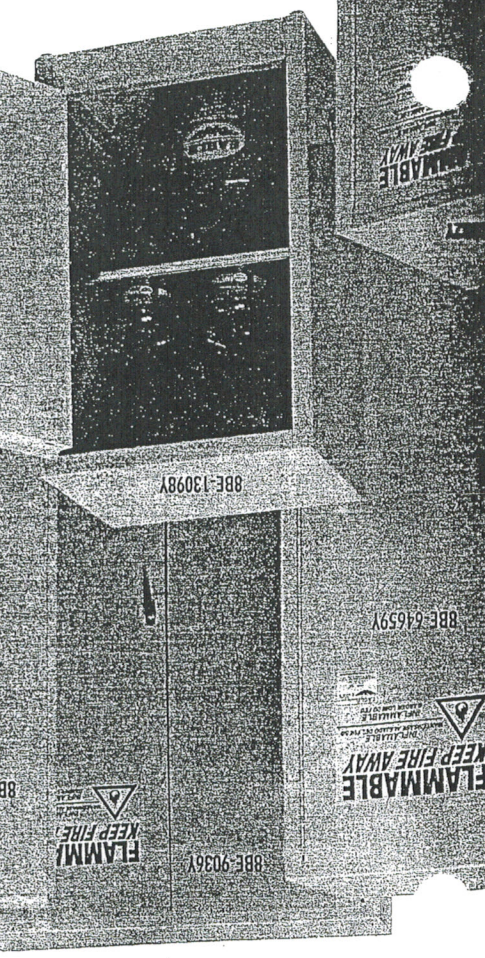
Shelves adjust in handy 3" increments

Models have one shelf, 24-gal. has three shelves available in yellow only. Nos. 64659 (white), (red), R (red), W (white), GR (gray), G (green), B (blue), Y (yellow), and O (orange).
 NFPA Code 30 specifications. Self-closing doors.
 Package includes two shelf trays and 90-gal. shelves, order two of No. 88E-65495+.
 Extra Shelves available; see price box for details.
 Each shelf has two shelves. Each shelf has three shelves. Each shelf has four shelves. Each shelf has five shelves. Each shelf has six shelves. Each shelf has seven shelves. Each shelf has eight shelves. Each shelf has nine shelves. Each shelf has ten shelves. Each shelf has eleven shelves. Each shelf has twelve shelves. Each shelf has thirteen shelves. Each shelf has fourteen shelves. Each shelf has fifteen shelves. Each shelf has sixteen shelves. Each shelf has seventeen shelves. Each shelf has eighteen shelves. Each shelf has nineteen shelves. Each shelf has twenty shelves. Each shelf has twenty-one shelves. Each shelf has twenty-two shelves. Each shelf has twenty-three shelves. Each shelf has twenty-four shelves. Each shelf has twenty-five shelves. Each shelf has twenty-six shelves. Each shelf has twenty-seven shelves. Each shelf has twenty-eight shelves. Each shelf has twenty-nine shelves. Each shelf has thirty shelves.

That's Right for You!

Yellow	White	Red
--------	-------	-----

Include dual 2" vents to accommodate a mechanical system



SAFETY CABINETS

Turnkey Control Solutions, Inc

101-109 East Main Street
Endicott, New York 13760
USA

(v) 607 785 8164 (f) 607 785 8165



April 29, 2009

Andes WWTP
Mr. Shane Boice
Andes, NY

Re: Memory upgrade: Proposal for
Re2: QFM43-009-26

Dear Mr. Boice:

Per your request, **Turnkey Control Solutions Inc. ®** is happy to provide this proposal for you review and approval.

Scope of Service

- Provide memory hardware for three computers
- Install new memory
- Test

We offer this service at a cost of \$625.00 with Travel included.

TCSI thanks you for the opportunity to provide this proposal and looks forward to hearing from you.

Please feel free to contact me with any questions or concerns you may have.

Sincerely,

Rob Schuerch
Turnkey Control Solutions, Inc

QUOTATION

R.L. STONE CO., INC.

115 AINSLEY DRIVE
SYRACUSE NY 13210

TEL: (315) 479-7979
FAX: (315) 479-5402

QUOTATION NUMBER:	and042409ww
QUOTATION DATE:	24-Apr-09
REVISED DATE:	
SALESPERSON:	
INQUIRY NUMBER:	

TO: Village of Andes
ATTN: Shane Boice
REF: Calibration services
CC
Fx:

PLEASE INDICATE THE ABOVE QUOTATION NUMBER WHEN ORDERING

Copy:
No. of Pages: 1

EST. SHIP DATE	SHIPPED VIA	CO. B.	TERMS
	Service	SP	NET 30 DAYS
QUANTITY	DESCRIPTION	PRICE	AMOUNT
1 lot	<p>Calibration services for check out and calibration of the two effluent flow meters located at the Waste Water Treatment facility</p> <p>note: travel time and on site time is billed at \$75.00 per hour mileage is billed at \$.75 per mile travel to and from your site is 5 hours mileage is 270 miles</p> <p>our standard rates call for a 4 hour minimum site time charge which I will wave due to the extensive travel to you facility pricing is based on an 8 hour day total including travel and site time plus the mileage fee to and from site.</p>		total \$802.50

WE ARE PLEASED TO SUBMIT THE ABOVE QUOTATION FOR YOUR CONSIDERATION. SHOULD YOU PLACE AN ORDER, BE ASSURED IT WILL RECEIVE OUR PROMPT ATTENTION. THIS QUOTATION IS VALID FOR 30 DAYS. THEREAFTER IT IS SUBJECT TO CHANGE WITHOUT NOTICE.

BY: billw@rl-stone.com
BILL WELLS

ACCEPTED:

THANK YOU!



May 1, 2009

Town of Andes
Heating Oil

Dear Town of Andes:

C.E. Kiff Inc. extends a sealed bid on the item Heating Oil delivered to the Town of Andes locations (Highway shop, Town Hall, Town Court, & Town Library) May 13, 2009 – April 30, 2010.

Variable Price Option: Rack price + \$0.17 per gallon product differential + any applicable taxes or fees if any.

*5/1/09 Variable Price: \$1.3821 Global Co. (Rack Price) + \$0.17 = \$1.5521 per gallon. This is the price delivered 5/1/09, this price fluctuates daily.

Or

Fixed Price Option: \$1.949/ gallon

Thank you for the opportunity to present our fuel bid to the Board.

Sincerely,

A handwritten signature in black ink, appearing to read 'I. A. Cook', written over a horizontal line.

Ian A. Cook

C.E. Kiff Inc.
607-746-2224
P.O. Box 151 Delhi, NY 13753

NON-COLLUSIVE BIDDING CERTIFICATE

TOWN OF ANDES

By submission of this bid or proposal, the bidder certifies that:

(A) This bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor;

(B) This bid or proposal has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of bids or proposals for this project, to any other bidder, competitor or potential competitor;

(C) No attempt has been or will be made to induce any other person, partnership or corporation to submit or not submit a bid or proposal;

(D) The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as the person signing in its behalf;

(E) That the attached hereto (if a corporate bidder) is a certified copy of resolution authorizing the execution of this certificate by the signator of this bid or proposal in behalf of the corporate bidder.

SIGNED: *Jan A. Cook* Jan A. Cook C.E. Kiff Inc.

DATE: *5/1/09*



110 WESTFIELD
PO BOX 5005
ALBANY NY 12201
PHONE 518/352-2930
FAX 518/352-2958

May 8, 2009

Andes Town Clerk
115 Delaware Ave.
P.O. Box 125
Andes, NY 13731

Dear Board Members:

Mirabito Energy Products proposes the following for the Fuel Oil for heating bid:

PRODUCT	POSTING	FIRM DIFFERENTIAL	FLUCTUATING BID PRICE	FIRM BID PRICE
Fuel Oil	Valero Rack Albany, NY 4/27/09 \$1.3670 /gal.	+ \$.2200/gal.	\$1.5870/gal.	\$2.0800/gal.

Term of Contract: May 12, 2009 – May 11, 2010

Firm Bid Price option must be accepted by written notification to Mirabito Energy Products by May 14, 2009 by 12:00 noon to Jason Mirabito via phone at (607)352-2930 and e-mail to Jason.mirabito@mirabito.com or Joe D'Esti via phone at (607)352-2958 and e-mail to Joseph.DEsti@mirabito.com. You may also fax the notification to (607)584-5134. Acceptance of the firm pricing option after the aforementioned date and time will be at the sole discretion of Mirabito Energy Products.

Thank you for giving the Mirabito Energy Products the opportunity to serve your energy needs. Feel free to contact us should you have any questions or need any additional information.

Sincerely,


Jason O. Mirabito,
Pricing & Supply Manager


Joe D'Esti
Bid/Account Executive

BID PROPOSAL CERTIFICATIONS

Firm Name: Mirabito Energy Products

Address: The Metrocenter – 49 Court Street, P O Box 5306, Binghamton, NY 13902

Telephone #: 607-352-2800

Date of Bid: May 8, 2009

I. General Bid Certification

The bidder certifies that he will furnish, at the prices herein quoted, the materials, equipment and /or services as proposed on this bid.

II. Non-Collusion Bidding Certification:

By submission of this bid proposal, the bidder certifies that he is complying with Section 103-d of the General Municipal Law as follows:

Statement of non-collusion in bids and proposals to political subdivisions of the state. Every bid or proposal hereafter made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusion bidding certification.

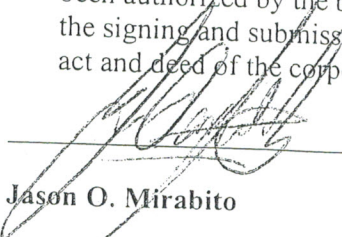
“(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty or perjury, that to the best of knowledge and belief:

- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor; and
- (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.”

(b) A bid shall not be considered for award nor shall any award be made where (a) (1) (2) and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (a)(1)(2) and (3) above have not been complied with, the bid shall not be considered for award not shall any award by made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of disclosing competition.

(1) The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication or new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph one (a).

(2) Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed, or goods sold or to be sold, where competitive bidding is required by statute, ruled, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.



Signature (Authorized)

Jason O. Mirabito Name (printed)

Pricing & Supply Manager Title

