

State of New York Executive Department
Office Of General Services
Procurement Services Group
Corning Tower Building - 38th Floor
Empire State Plaza
Albany, New York 12242
<http://www.ogs.state.ny.us>

CONTRACT AWARD NOTIFICATION

Title	:	Group 40802 – BOILER TREATMENT CHEMICALS AND SERVICES (Including Chemicals for Cooling Towers and Recirculating Closed Loops) (Statewide) Classification Code(s): 47
Award Number	:	19632 (Replaces Award 4292-G)
Contract Period	:	January 1, 2006 to March 31, 2008
Bid Opening Date	:	December 21, 2004
Date of Issue	:	December 20, 2005
Specification Reference	:	As Incorporated In The Invitation for Bids
Contractor Information	:	Appears on Page 2 of this Award

Address Inquiries To:

State Agencies & Vendors	Political Subdivisions & Others
Name : Donald H. Panton Title : Purchasing Officer I Phone : 518-474-5120 Fax : 518-474-1160 E-mail : donald.panton@ogs.state.ny.us	Customer Services Phone : 518-474-6717 Fax : 518-474-2437 E-mail : customer.services@ogs.state.ny.us

**The Procurement Services Group values your input.
Complete and return "Contract Performance Report" at end of document.**

Description

This contract provides boiler and cooling tower treatment chemicals and service suitable for controlling scale build-up and corrosion in various heating and cooling systems of State and Municipal buildings.

PR # 19632

(continued)

NOTE: See individual contract items to determine actual awardees.

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED.IDENT.#</u>
PC62169 SB	FEEDWATER TREATMENT SYSTEMS, INC. 5167 COLUMBIA AVENUE HAMBURG, NY 14075	716-627-2398 John P. Herlihy FAX: 716-627-3250 E-mail: jake1121@pcom.net	161374907

Contractor accepts the NYS Procurement Card for all orders up to \$10,000.00 and will honor orders for less than the minimum order.

PC62170 SB	GOTHAM REFINING CHEMICAL CORP. 23-74 48 TH STREET ASTORIA, NY 11103	718-267-6900 Andrew Lewin FAX: 718-932-9603 E-mail: andrew@gothamchemical.com Web Site: www.gothamchemical.com	112665919
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Contractor accepts the NYS Procurement Card for all orders up to \$10,000.00 and will honor orders for less than the minimum order.

Cash Discount, If Shown, Should be Given Special Attention.

INVOICES MUST BE SENT DIRECTLY TO THE ORDERING AGENCY FOR PAYMENT.

(See "Contract Payments" and "Electronic Payments" in this document.)

AGENCIES SHOULD NOTIFY THE PROCUREMENT SERVICES GROUP PROMPTLY IF THE CONTRACTOR FAILS TO MEET DELIVERY OR OTHER TERMS OF THIS CONTRACT. PRODUCTS OR SERVICES WHICH DO NOT COMPLY WITH THE SPECIFICATIONS OR ARE OTHERWISE UNSATISFACTORY TO THE AGENCY SHOULD ALSO BE REPORTED TO THE PROCUREMENT SERVICES GROUP.

SMALL, MINORITY AND WOMEN-OWNED BUSINESSES:

The letters SB listed under the Contract Number indicate the contractor is a NYS small business. Additionally, the letters MBE and WBE indicate the contractor is a Minority-owned Business Enterprise and/or Woman-owned Business Enterprise.

RECYCLED, REMANUFACTURED AND ENERGY EFFICIENT PRODUCTS:

The Procurement Services Group supports and encourages the purchase of recycled, remanufactured, energy efficient and "energy star" products. If one of the following codes appears as a suffix in the Award Number or is noted under the individual Contract Number(s) in this Contract Award Notification, please look at the individual awarded items for more information on products meeting the suffix description.

RS,RP,RA	Recycled
RM	Remanufactured
SW	Solid Waste Impact
EE	Energy Efficient
E*	EPA Energy Star
ES	Environmentally Sensitive

(continued)

NOTE TO AUTHORIZED USERS:

When placing purchase orders under the contract(s), the authorized user should be familiar with and follow the terms and conditions governing its use which usually appears at the end of this document. The authorized user is accountable and responsible for compliance with the requirements of public procurement processes. The authorized user must periodically sample the results of its procurements to determine its compliance. In sampling its procurements, an authorized user should test for reasonableness of results to ensure that such results can withstand public scrutiny.

The authorized user, when purchasing from OGS contracts, should hold the contractor accountable for contract compliance and meeting the contract terms, conditions, specifications, and other requirements. Also, in recognition of market fluctuations over time, authorized users are encouraged to seek improved pricing whenever possible.

Authorized users have the responsibility to document purchases, particularly when using OGS multiple award contracts for the same or similar product(s)/service(s), which should include:

- a statement of need and associated requirements,
- a summary of the contract alternatives considered for the purchase,
- the reason(s) supporting the resulting purchase (e.g., show the basis for the selection among multiple contracts at the time of purchase was the most practical and economical alternative and was in the best interests of the State).

PRICE:

Price includes all customs duties and charges and is net, F.O.B. destination any point in New York State as designated by the ordering agency including tailgate delivery, indicated technical service, any necessary test kits, test reagents etc., to the extent called for in the Invitation for Bids.

In addition, upon mutual agreement, delivery locations may be expanded per the “Extension of Use” clause.

DELIVERY TO ZONE 1:

Includes delivery of chemicals for treating boilers/steam generating systems, recirculating hot and cold water systems, and evaporative cooling tower systems, all required technical service, test kits, test reagents etc. (to extent herein), to adequately treat various Agency systems, during contract period.

CONTRACTOR: FEEDWATER TREATMENT SYSTEMS

Item

No. Description

1. SCALE INHIBITOR, POWDER, PHOSPHATE TYPE:
in returnable drums, per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>% Active</u>	<u>Name/No.</u>
<u>By Weight</u>				
(Drums)	\$0.75/lb.	300#	100%	FTS-12N

(continued)

DELIVERY TO ZONE 1: (Cont'd)

Item

No. Description

2. SCALE INHIBITOR, LIQUID, PHOSPHATE TYPE:
per detailed specifications of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.85/lb.	610#	41.2%	FTS-121N
(Bulk)	\$.60/lb.			

Item

No. Description

3. SCALE INHIBITOR, "ONE-DRUM" COMBINATION, LIQUID, PHOSPHONATE/POLYMER TYPE, FOR SMALL/MID-SIZE STEAM GENERATING SYSTEMS:
in returnable drums, per detailed specifications of IFB.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.85/lb.	570#	28.1%	FTS-191N

Item

No. Description

4. SCALE INHIBITOR/DISPERSANT, LIQUID COPOLYMER TYPE FOR STEAM GENERATING SYSTEMS per Detailed Specifications in returnable drums

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.99/lb.	520#	23%	FTS-156A

Item

No. Description

5. OXYGEN SCAVENGER, CATALYZED CORROSION INHIBITOR, POWDER:
in returnable drums, per detailed specifications of IFB.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.90/lb.	300#	100%	FTS-24

(continued)

DELIVERY TO ZONE 1: (Cont'd)

Item

- No. Description
 6. OXYGEN SCAVENGER, CATALYZED CORROSION INHIBITOR, LIQUID:
 in returnable drums, per detailed specifications of IFB.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.83/lb.	570#	40.35%	FTS-28N

Item

- No. Description
 7. ALKALINITY CONTROL, CAUSTIC SODA, LIQUID, 50% SOLUTION:
 per detailed specifications of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.42/lb.	700#	50%	FTS-OH5N
(Bulk)	\$.30/lb.			

Item

- No. Description
 8. SLUDGE CONDITIONER & ANTI-FOAM AGENT, LIQUID
 per detailed specifications of IFB, in returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.85/lb.	520#	25.15%	FTS-59SG
(Bulk)	\$.55/lb.			

Item

- No. Description
 9. CORROSION INHIBITOR FOR CONDENSATE RETURN, LIQ., NEUTRALIZING AMINE, DEAE
 per detailed specifications of IFB, in returnable drums.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$1.50/lb.	420#	50%	FTS-89

(continued)

DELIVERY TO ZONE 1: (Cont'd)

Item

- No. Description
 10. CORROSION INHIBITOR FOR CONDENSATE RETURN, LIQUID, DUAL NEUTRALIZING AMINE
 per detailed specifications of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$1.30/lb.	420#	78%	FTS-B71N
(Bulk)	\$1.10/lb.			

Item

- No. Description
 11. SCALE INHIBITOR, LIQUID, CHELANT/POLYMER TYPE
 per detailed specifications of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.79/lb.	575#	32.5%	FTS-49N
(Bulk)	\$.65/lb.			

Item

- No. Description
 12. SCALE INHIBITOR/DISPERSANT, LIQUID, POLYMERIC TYPE
 per detailed specifications of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.75/lb.	520#	25%	FTS-59N
(Bulk)	\$.75/lb.			

Item

- No. Description
 13. CORROSION INHIBITOR/DISPERSANT, CLOSED SYSTEM, NITRITE TYPE
 per detailed specification of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.75/lb.	600#	39.9%	FTS-302
(Bulk)	\$.60/lb.			

(continued)

DELIVERY TO ZONE 1: (Cont'd)

Item

No. Description
 14. CORROSION INHIBITOR/DISPERSANT, LIQUID, FOR OPEN
EVAPORATIVE COOLING TOWERS

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>By Weight</u>	<u>Name/No.</u>
(Drums)	\$1.75/lb.	570#	31.1%	FTS-336N

Item

No. Description
 15. CORROSION INHIBITOR/DISPERSANT, LIQUID, FOR OPEN, EVAPORATIVE,
COOLING TOWER SYSTEMS,
 in returnable drums, or via bulk delivery per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>By Weight</u>	<u>Name/No.</u>
(Drums)	\$.80/lb.	550#	29.85%	FTS-361N

Item

No. Description
 16. BIOCIDE, LIQUID, POLYQUATERNARY AMMONIUM TYPE, FOR CONTROL OF
MICRO-ORGANISMS AND FUNGI IN RECIRCULATING CLOSED SYSTEMS,
AND OPEN EVAPORATIVE COOLING TOWER SYSTEMS,
 in returnable drums, per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>By Weight</u>	<u>Name/No.</u>
(Drums)	\$2.00/lb.	480#	30%	FTS-932

Item

No. Description
 17. BIOCIDE, LIQUID, CARBAMATE TYPE FOR CONTROL OF MICRO-ORGANISMS,
FUNGI AND ALGAE IN OPEN, EVAPORATIVE COOLING TOWER SYSTEMS
 in returnable drums, per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>By Weight</u>	<u>Name/No.</u>
(Drums)	\$1.75/lb.	525#	30%	FTS-930

(continued)

DELIVERY TO ZONE 1: (Cont'd)

Item

- No. Description
 18. BIOCIDE, LIQUID, GLUTARALDEHYDE TYPE, FOR CONTROL OF BACTERIA AND ALGAE, IN CLOSED LOOP SYSTEMS AND IN OPEN, EVAPORATIVE COOLING TOWER SYSTEMS, in returnable drums, per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>% Active</u>	<u>Name/No.</u>
			<u>By Weight</u>	
(Drums)	\$3.50/lb.	512#	45%	A-245

Item

- No. Description
 19. LIQUID BIOCIDE, ORGANOSULFUR TYPE, FOR CONTROL OF MICRO-ORGANISMS, FUNGI, ALGAE, IN COOLING TOWERS: in returnable drums, per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>% Active</u>	<u>Name/No.</u>
			<u>By Weight</u>	
(Drums)	\$2.50/lb.	468#	1.5%	A-102

Guaranteed Delivery: 14 Days A/R/O

CONTRACTOR: ZONE 1, ITEMS 1-19, FEEDWATER TREATMENT SYSTEMS, INC.

NOTE: Items 1 – 17 are manufactured by Feedwater Treatment Systems, Inc.
 Items 18 and 19 are manufactured by Ecolab.

(continued)

ZONE 1:

ADDITIONAL INFORMATION REQUIRED FOR SPECIFIC ITEMS OFFERED:

ITEM
NO.

1.	<u>SCALE INHIBITOR, PHOSPHATE TYPE, POWDER</u> % by weight phosphate, expressed as PO ₄ (100% active basis)	89.5%
2.	<u>SCALE INHIBITOR, PHOSPHATE TYPE, LIQUID</u> % by weight phosphate, expressed as PO ₄ (100% active basis)	34.0%
3.	<u>SCALE INHIBITOR, "ONE-DRUM"</u> % by weight sodium phosphate (100% active basis) % by weight sodium lignosulfonate polymer solids (100% active basis) % by weight sodium acrylate polymer solids (100% active basis) % by weight sodium hydroxide as NaOH (100% active basis) % by weight sodium sulfite as Na ₂ SO ₃ (100% active basis) % by weight anti-foam compound (100% active basis)	2.5% 9.7% 3.6% 8.5% 3.6% 0.2%
4.	<u>SCALE INHIBITOR/DISPERSANT, LIQUID, FOR STEAM GENERATING SYSTEMS</u> % by weight co-polymer (Acumer 2000 or equal) (100% active basis)	23.0%
5.	<u>OXYGEN SCAVENGER, POWDER</u> % by weight sodium sulfite, expressed as Na ₂ SO ₃ (100% active)	100%
6.	<u>OXYGEN SCAVENGER, LIQUID</u> % by weight sodium bisulfate, expressed as NaHSO ₃ (100% active) % by weight sodium phosphate (100% active basis) % by weight cobalt sulfate (100% active basis)	38.0% 2.1% 0.25%
7.	<u>CAUSTIC SODA, 50% SOLUTION</u> % by weight sodium hydroxide, expressed as NaOH (100% active basis)	48.5%
8.	<u>SLUDGE CONDITIONER/ANTI-FOAM, LIQUID</u> % by weight polymer solids (100% active basis) % by weight anti-foam compound (100% active basis)	25.0% .15%
9.	<u>NEUTRALIZING AMINE, DEAE</u> % by weight diethylaminoethanol (DEAE), (100% active basis)	50.0%
10.	<u>NEUTRALIZING AMINE, DUAL</u> % by weight morpholine, (100% active basis) % by weight cyclohexylamine, (100% active basis)	39.0% 39.0%

(continued)

ZONE 1: (Cont'd)

ADDITIONAL INFORMATION REQUIRED FOR SPECIFIC ITEMS OFFERED:

ITEM

NO.

11.	<u>SCALE INHIBITOR, CHELANT TYPE, LIQUID</u>	
	% by weight tetrasodium EDTA, (100% active basis)	16.8%
	% by weight polymer solids (100% active basis)	3.5%
	% by weight sodium hydroxide as NaOH (100% active basis)	12.2%
12.	<u>SCALE INHIBITOR, POLYMERIC TYPE, LIQUID</u>	
	% by weight polymer solids (100% active basis)	25.0%
13.	<u>CORROSION INHIBITOR, NITRITE TYPE, LIQUID</u>	
	% by weight sodium nitrite, as NaNO ₂ , (100% active basis)	37.5%
	% by weight triazole compound, (100% active basis)	0.6%
	% by weight sodium borate, (100% active basis)	0.8%
	% by weight sodium hydroxide as NaOH, (100% active basis)	1.0%
14.	<u>CORROSION INHIBITOR/DISPERSANT, LIQUID, FOR COOLING TOWERS</u>	
	% by weight organo-phosphonate (100% active basis)	8.3%
	% by weight sodium molybdate	4.7%
	% by weight co-polymer (Acumer 2000 or equal) (100% active basis)	3.9%
	% by weight tolytriazole (100% active basis)	2.6%
	% by weight potassium hydroxide (as KOH)	11.6%
15.	<u>CORROSION INHIBITOR/DISPERSANT, LIQUID FOR COOLING TOWERS</u>	
	% by weight terpolymer (FMC Acumer 3100, or equal), (100% active)	7.5%
	% by weight PO ₄ , from dipotassium phosphate, (100% active basis)	5.0%
	% by weight PO ₄ , from polyphosphate, (100% active basis)	2.1%
	% by weight polyacrylic acid, (100% active basis)	2.0%
	% by weight triazole compound, (100% active basis)	2.35%
	% by weight sodium hydroxide as NaOH, (100% active basis)	5.5%
16.	<u>BIOCIDE, POLYQUATERNARY AMMONIUM TYPE</u>	
	% by weight active polyquaternary ammonium compound(s), (100% active basis)	30.0%
17.	<u>BIOCIDE, CARBAMATE TYPE</u>	
	% by weight active carbamates, (100% active basis)	30.0%
18.	<u>BIOCIDE, GLUTARALDEHYDE TYPE</u>	
	% by weight glutaraldehyde, (100% active basis)	45.0%
19.	<u>BIOCIDE, ORGANOSULFUR TYPE</u>	
	% by weight isothiazolin compounds (100% active basis)	1.5%

(continued)

GROUP 40802 – BOILER TREATMENT CHEMICALS AND SERVICES AWARD PAGE 11
(Including Chemicals for Cooling Towers & Recirculating Closed Loops)
(Statewide)

DELIVERY TO ZONE 2

Includes delivery of chemicals for treating boilers/steam generating systems, recirculating hot and cold water systems, and evaporative cooling tower systems, all required technical service, test kits, test reagents etc. (to extend herein), to adequately treat various agency systems, during contract period.

CONTRACTOR: GOTHAM REFINING CHEMICAL CO.

Item

- No. Description
 20. SCALE INHIBITOR, POWDER, PHOSPHATE TYPE:
 in returnable drums, per detailed specifications of IFB.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums))	\$.98/lb.	300#	100%	BT-PX

Item

- No. Description
 21. SCALE INHIBITOR, LIQUID, PHOSPHATE TYPE:
 per detailed specifications of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.50/lb.	575#	25%	BT-P
(Bulk)	\$.40/lb.			

Item

- No. Description
 22. SCALE INHIBITOR, "ONE-DRUM" COMBINATION, LIQUID, PHOSPHONATE/POLYMER
TYPE, FOR SMALL/MID-SIZE STEAM GENERATING SYSTEMS:
 in returnable drums, per detailed specifications of IFB.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.58/lb.	575#	28.8%	BT-100

(continued)

GROUP 40802 – BOILER TREATMENT CHEMICALS AND SERVICES AWARD PAGE 12
(Including Chemicals for Cooling Towers & Recirculating Closed Loops)
(Statewide)

DELIVERY TO ZONE 2 (Cont'd)

Item

No. Description
 23. SCALE INHIBITOR/DISPERSANT, LIQUID
COPOLYMER TYPE FOR STEAM GENERATING
SYSTEMS per Detailed Specifications in returnable drums

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>% Active</u>	<u>Name/No.</u>
			<u>By Weight</u>	
(Drums)	\$1.10/lb.	545#	24%	BT-D

Item

No. Description
 24. OXYGEN SCAVENGER, CATALYZED CORROSION INHIBITOR, POWDER:
 in returnable drums, per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>% Active</u>	<u>Name/No.</u>
			<u>By Weight</u>	
(Drums)	\$.72/lb.	300#	100%	BT-SX

Item

No. Description
 25. OXYGEN SCAVENGER, CATALYZED CORROSION INHIBITOR, LIQUID:
 in returnable drums, per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>% Active</u>	<u>Name/No.</u>
			<u>By Weight</u>	
(Drums)	\$.55/lb.	615#	39.76%	BT-S

Item

No. Description
 26. ALKALINITY CONTROL, CAUSTIC SODA, LIQUID, 50% SOLUTION:
 per detailed specifications of IFB, in either returnable drums or via bulk delivery.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>% Active</u>	<u>Name/No.</u>
			<u>By Weight</u>	
(Drums)	\$.36/lb.	675#	50%	BT-A
(Bulk)	\$.32/lb.			

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GROUP 40802 – BOILER TREATMENT CHEMICALS AND SERVICES AWARD PAGE 13
(Including Chemicals for Cooling Towers & Recirculating Closed Loops)
(Statewide)

DELIVERY TO ZONE 2 (Cont'd)

Item

No. Description
 27. SLUDGE CONDITIONER & ANTI-FOAM AGENT, LIQUID
 per detailed specifications of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.61/lb.	545#	26%	BT-DA
(Bulk)	\$.61/lb.			

Item

No. Description
 28. CORROSION INHIBITOR FOR CONDENSATE RETURN, LIQ., NEUTRALIZING AMINE, DEAE
 per detailed specifications of IFB, in returnable drums.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$1.51/lb.	440#	50%	ST-200

Item

No. Description
 29. CORROSION INHIBITOR FOR CONDENSATE RETURN, LIQUID, DUAL NEUTRALIZING AMINE
 per detailed specifications of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$2.15/lb.	440#	80%	ST-200D
(Bulk)	\$2.10/lb.			

Item

No. Description
 30. SCALE INHIBITOR, LIQUID, CHELANT/POLYMER TYPE
 per detailed specifications of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.65/lb.	580#	28%	BT-CP
(Bulk)	\$.65/lb.			

(continued)

GROUP 40802 – BOILER TREATMENT CHEMICALS AND SERVICES AWARD PAGE 14
(Including Chemicals for Cooling Towers & Recirculating Closed Loops)
(Statewide)

DELIVERY TO ZONE 2 (Cont'd)

Item

- No. Description
 31. SCALE INHIBITOR/DISPERSANT, LIQUID, POLYMERIC TYPE,
 per detailed specifications of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.69/lb.	540#	20%	BT-POLY
(Bulk)	\$.69/lb.			

Item

- No. Description
 32. CORROSION INHIBITOR/DISPERSANT, CLOSED SYSTEM, NITRITE TYPE
 per detailed specification of IFB, in either returnable drums or via bulk delivery.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.52/lb.	620#	38.3%	CST-300
(Bulk)	\$.50/lb.			

Item

- No. Description
 33. CORROSION INHIBITOR/DISPERSANT, LIQUID, FOR OPEN
EVAPORATIVE COOLING TOWERS

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$1.15/lb.	560#	26.5%	TT-MNY

Item

- No. Description
 34. CORROSION INHIBITOR/DISPERSANT, LIQUID, FOR OPEN, EVAPORATIVE,
COOLING TOWER SYSTEMS,
 in returnable drums, per detailed specifications of IFB.

<u>Type</u> <u>Dlvy.</u>	<u>Price per</u> <u>lb.</u>	<u>Drum</u> <u>Weight</u>	<u>Total</u> <u>% Active</u> <u>By Weight</u>	<u>Brand</u> <u>Name/No.</u>
(Drums)	\$.80/lb.	540#	27.15%	TT-PNY

(continued)

GROUP 40802 – BOILER TREATMENT CHEMICALS AND SERVICES AWARD PAGE 15
(Including Chemicals for Cooling Towers & Recirculating Closed Loops)
(Statewide)

DELIVERY TO ZONE 2 (Cont'd)

Item

No. Description
 35. BIOCIDE, LIQUID, POLYQUARTERNARY AMMONIUM TYPE, FOR CONTROL OF MICRO-ORGANISMS AND FUNGI IN RECIRCULATING CLOSED SYSTEMS, AND OPEN EVAPORATIVE COOLING TOWER SYSTEMS,
 in returnable drums, per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>% Active</u>	<u>Name/No.</u>
			<u>By Weight</u>	
(Drums)	\$2.80/lb.	500#	50%	B-55CONC.

Item

No. Description
 36. BIOCIDE, LIQUID, CARBAMATE TYPE FOR CONTROL OF MICRO-ORGANISMS, FUNGI AND ALGAE IN OPEN, EVAPORATIVE COOLING TOWER SYSTEMS:
 in returnable drums, per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>% Active</u>	<u>Name/No.</u>
			<u>By Weight</u>	
(Drums)	\$1.30/lb.	515#	36%	B-136

Item

No. Description
 37. BIOCIDE, LIQUID, GLUTARALDEHYDE TYPE, FOR CONTROL OF BACTERIA AND ALGAE, IN CLOSED LOOP SYSTEMS AND IN OPEN, EVAPORATIVE COOLING TOWER SYSTEMS:
 in returnable drums, per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>% Active</u>	<u>Name/No.</u>
			<u>By Weight</u>	
(Drums)	\$3.15/lb.	505#	45%	A-545

(continued)

GROUP 40802 – BOILER TREATMENT CHEMICALS AND SERVICES AWARD PAGE 16
(Including Chemicals for Cooling Towers & Recirculating Closed Loops)
(Statewide)

DELIVERY TO ZONE 2 (Cont'd)

Item

No. Description
 38. LIQUID BIOCIDES, ORGANOSULFUR TYPE, FOR CONTROL OF MICRO-ORGANISMS,
FUNGI, ALGAE, IN COOLING TOWERS:
 in returnable drums, per detailed specifications of IFB.

<u>Type</u>	<u>Price per</u>	<u>Drum</u>	<u>Total</u>	<u>Brand</u>
<u>Dlvy.</u>	<u>lb.</u>	<u>Weight</u>	<u>% Active</u>	<u>Name/No.</u>
			<u>By Weight</u>	
(Drums)	\$2.25/lb.	500#	1.5%	G-102

Guaranteed Delivery: 5 Days A/R/O

CONTRACTOR: ZONE 2, ITEM 20-38: GOTHAM REFINING CHEMICAL CO.

NOTE: Items 20-34 are manufactured by Gotham Refining Chemical Corp.

Item 35 is manufactured by Mason.

Item 36 is manufactured by Alco.

Item 37 is manufactured by Ecolab.

Item 38 is manufactured by Acti-Chem.

(continued)

GROUP 40802 – BOILER TREATMENT CHEMICALS AND SERVICES AWARD PAGE 17
(Including Chemicals for Cooling Towers & Recirculating Closed Loops)
(Statewide)

ZONE 2

ADDITIONAL INFORMATION REQUIRED FOR SPECIFIC ITEMS OFFERED:

ITEM

NO.

20.	<u>SCALE INHIBITOR, PHOSPHATE TYPE, POWDER</u> % by weight phosphate, expressed as PO ₄ (100% active basis)	89.5%
21.	<u>SCALE INHIBITOR, PHOSPHATE TYPE, LIQUID</u> % by weight phosphate, expressed as PO ₄ (100% active basis)	20.6%
22.	<u>SCALE INHIBITOR, "ONE-DRUM"</u> % by weight sodium phosphonate (100% active basis) % by weight sodium lignosulfonate polymer solids (100% active basis) % by weight sodium acrylate polymer solids (100% active basis) % by weight sodium hydroxide as NaOH (100% active basis) % by weight sodium sulfite as Na ₂ SO ₃ (100% active basis) % by weight anti-foam compound (100% active basis)	2.4% 9.7% 3.6% 8.5% 3.6% 1.01%
23.	<u>SCALE INHIBITOR/DISPERSANT, LIQUID, FOR STEAM GENERATING SYSTEMS</u> % by weight co-polymer (Acumer 2000 or equal) (100% active basis)	24%
24.	<u>OXYGEN SCAVENGER, POWDER</u> % by weight sodium sulfite, expressed as Na ₂ SO ₃ (100% active)	100%
25.	<u>OXYGEN SCAVENGER, LIQUID</u> % by weight sodium bisulfite, expressed as NaHSO ₃ (100% active) % by weight sodium phosphonate (100% active basis) % by weight cobalt sulfate (100% active basis)	37.5% 2.0% 0.26%
26.	<u>CAUSTIC SODA, 50% SOLUTION</u> % by weight sodium hydroxide, expressed as NaOH (100% active basis)	50%
27.	<u>SLUDGE CONDITIONER/ANTI-FOAM, LIQUID</u> % by weight polymer solids (100% active basis) % by weight anti-foam compound (100% active basis)	25% 1%
28.	<u>NEUTRALIZING AMINE, DEAE</u> % by weight diethylaminoethanol (DEAE), (100% active basis)	50%
29.	<u>NEUTRALIZING AMINE, DUAL</u> % by weight morpholine, (100% active basis) % by weight cyclohexylamine, (100% active basis)	40% 40%
30.	<u>SCALE INHIBITOR, CHELANT TYPE, LIQUID</u> % by weight tetrasodium EDTA, (100% active basis) % by weight polymer solids (100% active basis) % by weight sodium hydroxide as NaOH (100% active basis)	14.6% 3.0% 10.4%
31.	<u>SCALE INHIBITOR, POLYMERIC TYPE, LIQUID</u> % by weight polymer solids (100% active basis)	20%

(continued)

GROUP 40802 – BOILER TREATMENT CHEMICALS AND SERVICES AWARD PAGE 18
(Including Chemicals for Cooling Towers & Recirculating Closed Loops)
(Statewide)

ZONE 2: (Cont'd)

ADDITIONAL INFORMATION REQUIRED FOR SPECIFIC ITEMS OFFERED:

ITEM
NO.

32.	<u>CORROSION INHIBITOR, NITRITE TYPE, LIQUID</u> % by weight sodium nitrite, as NaNO ₂ (100% active basis) % by weight triazole compound, (100% active basis) % by weight sodium borate, (100% active basis) % by weight sodium hydroxide as NaOH, (100% active basis)	36.4% 0.5% 0.7% 0.7%
33.	<u>CORROSION INHIBITOR/DISPERSANT, LIQUID, FOR COOLING TOWERS</u> % by weight organo-phosphonate (100% active basis) % by weight sodium molybdate % by weight co-polymer (Acumer 2000 or equal) (100% active basis) % by weight tolytriazole (100% active basis) % by weight potassium hydroxide (as KOH)	7.0% 4.06% 3.0% 2.0% 10.44%
34.	<u>CORROSION INHIBITOR/DISPERSANT, LIQUID, FOR COOLING</u> % by weight terpolymer (FMC Acumer 3100, or equal), (100% active) % by weight PO ₄ , from dipotassium phosphate, (100% active basis) % by weight PO ₄ , from polyphosphate, (100% active basis) % by weight polyacrylic acid, (100% active basis) % by weight triazole compound, (100% active basis) % by weight sodium hydroxide as NaOH, (100% active basis)	6.55% 8.0% 2.0% 1.6% 2.0% 5.1%
35.	<u>BIOCIDE, POLYQUATERNARY AMMONIUM TYPE</u> % by weight active polyquaternary ammonium compound(s), (100% active basis)	50%
36.	<u>BIOCIDE, CARBAMATE TYPE</u> % by weight active carbamates, (100% active basis)	36%
37.	<u>BIOCIDE, GLUTARALDEHYDE TYPE</u> % by weight glutaraldehyde, (100% active basis)	45%
38.	<u>BIOCIDE, ORGANOSULFUR TYPE</u> % by weight isothiazolin compounds, (100% active basis)	1.5%

(continued)

ORDERING AND EMERGENCY DELIVERY CONTACTS

<u>Contractor</u>	<u>Contact for Expediting NYS Contact Orders</u>	<u>Contact in the Event of an emergency After Business Hours and on Weekends/Holidays</u>
Feedwater Treatment Systems, Inc.	Eileen Sullivan 716/627-2398 FAX: 716/627-3250	John Herlihy 716/627-2398 FAX: 716/627-3250 Eileen Sullivan 716/863-5970 William Osborne 315/829-3128 Mary Zacchigna 716/646-1140
Gotham Refining Chemical Corp.	Andrew Lewin, VP 1-800/696-0460 718/267-6900 FAX: 718/932-9603 E-mail: sales@gothamchemical.com	Andrew Lewin, VP 718/267-6900 FAX: 718/932-9603 Cell: 917/217-0111 E-mail: andrew@gothamchemical.com

REQUEST FOR CHANGE:

Any request by the agency or contractor regarding changes in any part of the contract must be made in writing to the Office of General Services, Procurement Services Group, prior to effectuation.

CONTRACT PAYMENTS:

Payments cannot be processed by State facilities until the contract products have been delivered in satisfactory condition or services have been satisfactorily performed. Payment will be based on any invoice used in the supplier's normal course of business. However, such invoice must contain sufficient data including but not limited to contract number, description of product or service, quantity, unit and price per unit as well as federal identification number.

State facilities are required to forward properly completed vouchers to the Office of the State Comptroller for audit and payment. All facilities are urged to process every completed voucher expeditiously giving particular attention to those involving cash discounts for prompt payment.

If the contract terms indicate political subdivisions and others authorized by law are allowed to participate, those entities are required to make payments directly to the contractor. Prior to processing such payment, the contractor may be required to complete the ordering non-State agency's own voucher form.

See "Contract Billings" in Appendix B, OGS General Specifications.

ELECTRONIC PAYMENTS:

The Office of the State Comptroller (OSC) offers an "electronic payment" option in lieu of issuing checks. To obtain an electronic payment authorization form visit the OSC website at www.osc.state.ny.us or contact them by e-mail at epunit@osc.state.ny.us or by phone at 518-474-4032.

NOTE TO CONTRACTOR:

This Contract Award Notification is not an order. Do not take any action under this contract except on the basis of purchase order(s) from the agency or agencies.

(continued)

NOTE TO CONTRACTOR:

In the event a specified manufacturer's product listed in the Contract Award Notification becomes unavailable or cannot be supplied to the State by the contractor for any reason (except as provided for in the "Savings/Force Majeure" clause in Appendix B, OGS General Specifications), a product deemed by the Office of General Services to be equal to or better than the specified product must be substituted by the contractor at no additional cost or expense to the State.

OVERLAPPING CONTRACT ITEMS:

Products/services available in this contract may also be available from other New York State contracts. Agencies should select the most cost effective procurement alternative that meets their program requirements and maintain a procurement record documenting the basis for the selection.

PSG's DISPUTE RESOLUTION POLICY:

It is the policy of the Office of General Services' Procurement Services Group (PSG) to provide vendors with an opportunity to administratively resolve disputes, complaints or inquiries related to PSG bid solicitations or contract awards. PSG encourages vendors to seek resolution of disputes through consultation with PSG staff. All such matters will be accorded impartial and timely consideration. Interested parties may also file formal written disputes. A copy of PSG's Dispute Resolution Procedures for Vendors may be obtained by contacting the person shown on the front of this document or through the OGS website (www.ogs.state.ny.us). Click on "For Government - Contracts and Purchasing," then "Seller Information," then "Dispute Resolution Procedures for Vendors."

MERCURY-ADDED CONSUMER PRODUCTS:

Bidders are advised that effective January 1, 2005, Article 27, Title 21 of the Environmental Conservation Law bans the sale of fever thermometers containing mercury and the sale of elemental mercury for other than research purposes due to the hazardous waste concerns of mercury. The law further states that effective July 12, 2005, manufacturers are required to label mercury-added consumer products that are sold or offered for sale in New York State by a distributor or retailer. The label is intended to inform consumers of the presence of mercury in such products and of the proper disposal or recycling of mercury-added consumer products. Bidders are encouraged to contact the Department of Environmental Conservation, Bureau of Solid Waste, Reduction & Recycling at (518) 402-8705 or the Bureau of Hazardous Waste Regulation at 1-800-462-6553 for questions relating to the law. Bidders may also visit the Department's web site for additional information:
<http://www.dec.state.ny.us/website/dshh/redrecy/c145home.html>

NON-STATE AGENCIES PARTICIPATION IN CENTRALIZED CONTRACTS:

New York State political subdivisions and others authorized by New York State law may participate in contracts. These include, but are not limited to local governments, public authorities, public school and fire districts, public and nonprofit libraries, and certain other nonpublic/nonprofit organizations. See "Participation in Centralized Contracts" in Appendix B, OGS General Specifications. For purchase orders issued by the Port Authority of New York and New Jersey (or any other authorized entity that may have delivery locations adjacent to New York State), the terms of the "Price" clause shall be modified to include delivery to locations adjacent to New York State.

Upon request, all eligible non-State agencies must furnish contractors with the proper tax exemption certificates and documentation certifying eligibility to use State contracts. A list of categories of eligible entities is available on the OGS web site (www.ogs.state.ny.us). Click on "For Government-Contracts and Purchasing," then "About Procurement," then "Non-State Agency Legal References." Questions regarding an organization's eligibility to purchase from New York State Contracts may also be directed to OGS Procurement Services Group's Customer Services at 518-474-6717.

(continued)

EXTENSION OF USE:

Any contract resulting from this bid solicitation may be extended to additional States or governmental jurisdictions upon mutual written agreement between New York State (the lead contracting State) and the contractor. Political subdivisions and other authorized entities within each participating State or governmental jurisdiction may also participate in any resultant contract if such State normally allows participation by such entities. New York State reserves the right to negotiate additional discounts based on any increased volume generated by such extensions.

MINIMUM ORDER:

Minimum order shall be \$1,000.00.

Contractor may elect to honor orders for less than the minimum order.

DELIVERY:

Delivery shall be expressed in number of calendar days required to make delivery after receipt of a purchase order.

Product is required as soon as possible and guaranteed delivery may be considered in making award.

Delivery shall be made in accordance with instructions on Purchase Order from each agency. If there is a discrepancy between the purchase order and what is listed on the contract, it is the contractor's obligation to seek clarification from the ordering agency and, if applicable, from the Office of General Services, Procurement Services Group.

ESTIMATED QUANTITIES:

The quantities or dollar values listed are estimated only. See "Estimated/Specific Quantity Contracts" and "Participation in Centralized Contracts" in Appendix B, OGS General Specifications.

TEST KITS AND TEST REAGENTS.

The Contractor shall furnish to each Agency account, at no extra charge, appropriate test kits and test reagents as anticipated for full 3 year contract period.

NOTE TO AGENCIES:

The Procurement Services Group copy of all purchase orders issued under this contract shall be sent promptly to Procurement Services Group, Attn: Donald Panton.

NOTE:

The contractor(s) will be required, prior to shipping any product, to have the proposed program and chemicals approved by OGS, Procurement Services Group.

Such approval will be obtained by submitting to the Attn. Donald Panton, Procurement Services Group, the following:

1. Location to be treated, name & phone of plant engineer (or other contact).
2. Estimated annual cost.
3. Chemicals to be used and comparison with present treatment program.
4. Present condition of boiler, cooling tower to be treated.
5. Listing of any changes and/or additions to equipment to improve performance.

CONTAINER SIZES:

Liquid products shall be furnished in either 30-gallon or 55-gallon returnable drums or via bulk delivery, per Agency option. Liquid biocides, however, shall not be available in bulk delivery. Powdered products shall be furnished in 100#, 300# or 600# returnable drums, per Agency option.

(continued)

ZONES:

The Zones shall encompass specific Counties, as indicated below:

Zone 1	Zone 1	Zone 2
Niagara	Jefferson	Delaware
Orleans	St. Lawrence	Schoharie
Monroe	Franklin	Schenectady
Wayne	Clinton	Albany
Erie	Lewis	Rensselaer
Genesee	Hamilton	Greene
Wyoming	Essex	Columbia
Livingston	Warren	Sullivan
Ontario	Fulton	Ulster
Yates	Montgomery	Dutchess
Seneca	Saratoga	Orange
Chautauqua	Washington	Putnam
Cattaraugus	Oswego	Westchester
Alleghany	Oneida	Nassau
Steuben	Herkimer	Suffolk
Schuyler	Onondaga	Bronx
Chemung	Madison	Kings
Cayuga	Otsego	Queens
Tompkins	Chenango	New York
Cortland		Richmond
Tioga		Rockland
Broome		

INVENTORY OF CHEMICAL ON SITE:

Contractor shall report on Agency's chemical inventory by means of the service report submitted at the time of each regular monthly service call. No more than three (3) months supply of any chemical shall be maintained on site, during the course of the contract. Empty drums shall be removed by the contractor, at agency request, at least every six (6) months during the term of the contract.

LIABILITY INSURANCE:

Bidder shall be required to show proof of liability insurance, with a minimum coverage of two million dollars (\$2,000,000), which would provide for damages to Agency property or injuries to Agency staff, charges, visitors, etc. as well as injury to bidder's technical service representative(s).

CONTRACT PERIOD AND RENEWALS:

Prices or discounts quoted are to be firm for the entire period of the contract. Price escalation or discount reduction will not be allowed and is specifically excluded from the terms and conditions of the contract award. Price decreases or discount increases are permitted at any time.

If mutually agreed between the Procurement Services Group and the contractor, the contract may be renewed under the same terms and conditions for additional period(s) not to exceed a total contract term of five (5) years.

SHORT TERM EXTENSION:

In the event the replacement contract has not been issued, any contract let and awarded hereunder by the State, may be extended unilaterally by the State for an additional period of up to one month upon notice to the contractor with the same terms and conditions as the original contract including, but not limited to, quantities (prorated for such one month extension), prices, and delivery requirements. With the concurrence of the contractor, the extension may be for a period of up to three months in lieu of one month. However, this extension terminates should the replacement contract be issued in the interim.

(continued)

WARRANTIES:

See "Warranties" in Appendix B, OGS General Specifications.

VISIT TO THE SITE:

The contractors are required to visit any Agency (that so requests) in order to evaluate the Agency's systems, and to run water analyses (e.g. hardness and alkalinity of raw water), so as to more accurately estimate the cost of providing the chemicals and technical service, required by the Detailed Specifications.

As required in the NOTE TO BIDDERS clause, such visit will be followed by a critique and proposal for the treatment to be sent both to the agency visited and to OGS-Procurement Services Group, Attn: Donald Panton.

REPORT OF CONTRACT PURCHASES:

Contractor shall furnish report of purchases made from contract the fifteenth of the month following the end of each six month period. The reports shall be in the following format:

<u>Item/ SubItem Number</u>	<u>Product or Catalog Number</u>	<u>Product/ Service Description</u>	<u>Total Quantity Shipped</u>	<u>Total \$ Value</u>
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The report is to be submitted to the Office of General Services, Procurement Services Group, Tower Bldg., Empire State Plaza, Albany, NY 12242, to the attention of the individual shown on the front page of the Contract Award Notification and shall reference the Group Number, the Invitation for Bids Number, Contract Number, sales period, and contractor's name.

Additional related sales information, such as monthly reports, and/or detailed user purchases may be required and must be supplied upon request.

Failure to submit the required report may be cause for disqualification of contractor for future contracts.

SAMPLES TO BE SUBMITTED BY CONTRACTOR:

The contractor may be required to submit samples. See "Samples" in Appendix B, OGS General Specifications.

CONFORMANCE TO FEDERAL, STATE, AND LOCAL REGULATIONS:

It shall be the responsibility of the Contractor to conform with Federal, State, and Local regulations, as regards the type of water treatment chemicals offered for Agency usage, especially in situations where steam produced may come into contact with food items (e.g. where Agency may use steam in kitchen areas, or for humidification purposes), or where local environmental rules governing discharge of effluent into streams may apply. Contractor should visit site and determine which products will both meet specifications and be most appropriate for Agency usage, in view of all applicable governmental regulations.

EMERGENCY PURCHASING:

In the event that a disaster emergency is declared by Executive Order under Section 28 of Article 2-B of the Executive Law, or that the Commissioner determines pursuant to his/her authority under Section 163(10)(b) of the State Finance Law that an emergency exists requiring the prompt and immediate delivery of products or services, the Commissioner reserves the right to obtain such products or services from any source, including but not limited to this contract, as the Commissioner in his/her sole discretion determines will meet the needs of such emergency. Contractor shall not be entitled to any claim or lost profits for products or services procured from other sources pursuant to this paragraph.

(continued)

"OGS OR LESS" GUIDELINES APPLY TO THIS CONTRACT:

Purchases of the products included in the Contract Award Notification are subject to the "OGS or Less" provisions of Section 163.3.a.v., Article XI, of the New York State Finance Law. This means that State agencies can purchase products from sources other than the contractor provided that such products are substantially similar in form, function or utility to the products herein and are:

1. lower in price
-and/or-
2. available under terms which are more economically efficient to the State agency (e.g. delivery terms, warranty terms, etc.).

Agencies are reminded that they must provide the State contractor an opportunity to match the non-contract savings at least two business days prior to purchase. In addition, purchases made under "OGS or Less" flexibility must meet all requirements of law including, but not limited to, advertising in the New York State Contract Reporter, prior approval of the Comptroller's Office and competitive bidding of requirements exceeding the discretionary bid limit. State agencies should refer to Procurement Council Bulletin "OGS or Less Purchases" for complete procedural and reporting requirements.

(continued)

State of New York
Office of General Services
PROCUREMENT SERVICES GROUP
Contract Performance Report

Please take a moment to let us know how this contract award has measured up to your expectations. If reporting on more than one contractor or product, please make copies as needed. This office will use the information to improve our contract award, where appropriate. **Comments should include those of the product's end user.**

Contract No.: _____ **Contractor:** _____

Describe Product* Provided (Include Item No., if available): _____

***Note:** "Product" is defined as a deliverable under any Bid or Contract, which may include commodities (including printing), services and/or technology. The term "Product" includes Licensed Software.

	Excellent	Good	Acceptable	Unacceptable
• Product meets your needs				
• Product meets contract specifications				
• Pricing				

CONTRACTOR

	Excellent	Good	Acceptable	Unacceptable
• Timeliness of delivery				
• Completeness of order (fill rate)				
• Responsiveness to inquiries				
• Employee courtesy				
• Problem resolution				

Comments: _____

 _____ (over)

Agency: _____ Prepared by: _____
 Address: _____ Title: _____
 _____ Date: _____
 _____ Phone: _____
 _____ E-mail: _____

Please detach or photocopy this form & return by FAX to 518/474-2437 or mail to:

OGS PROCUREMENT SERVICES GROUP
 Customer Services, Room 3711
 Corning 2nd Tower - Empire State Plaza
 Albany, New York 12242
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