

**CITY COUNCIL**

**The City of Orange Township, New Jersey**

DATE January 17, 2023

NUMBER 35-2023

**TITLE: A RESOLUTION AUTHORIZING A CONTRACT FOR THE PURCHASE OF MOTOR FUEL (REGULAR UNLEADED GAS) FOR THE CITY OF ORANGE CITY OWNED VEHICLES AND EQUIPMENT THROUGH THE MORRIS COUNTY CO-OPERATIVE PRICING COUNCIL CONTRACT #1 FROM PETROLEIUM TRADERS CORPORATION, P.O. BOX 2357, FORT WAYNE, INDIANA 46810-2357 COMMENCING JANUARY 1, 2023 THROUGH DECEMBER 31, 2023 IN THE AMOUNT NOT TO EXCEED \$300,000.00.**

**WHEREAS**, the City of Orange Township requires a firm to provide motor fuel (regular unleaded gas) to the City of Orange Township; and

**WHEREAS**, the City of Orange Township entered into a cooperative pricing agreement with the Morris County Co-Operative Pricing Council , a copy of which is attached hereto and made part hereof, for the purchase of motor fuel (regular unleaded gas); and

**WHEREAS**, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, a copy of which is attached hereto and made part hereof, certifying that monies are available in the Account No. 3-01-26-315-000-303 contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2023 Budget, there will be sufficient funds to contract with Petroleum Traders Corporation.

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers of the City of Orange Township are hereby authorized to enter into an agreement with aforesaid vendor for the purchase of motor fuel (regular unleaded gas) commencing January 1, 2023 through December 31, 2023 in an amount not to exceed \$300,000.00.

Adopted: **January 17, 2023**

\_\_\_\_\_  
Joyce L. Lanier  
City Clerk

\_\_\_\_\_  
Tency A. Eason  
Council President

  
A. M. ZRANKI

# **AGREEMENT**

This Agreement, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2023, between the City of Orange Township and **Petroleum Traders Corp., P.O. Box 2357, Fort Wayne, Indiana 46810-2357.**

**WHEREAS**, the City of Orange Township wishes to retain a firm for the purpose of **purchasing motor fuel (regular unleaded gas) under the MCCPC #1** for the City of Orange Township, as specifically set forth in the attached proposal in the amount not to exceed \$300,000.00 for the period of **January 1, 2023 through December 31, 2023.**

**WHEREAS**, the City of Orange Township wishes to retain **Petroleum Traders Corp.** with offices located at **P.O. Box 2357, Fort Wayne, Indiana 46810-2357.**

**WHEREAS**, this firm and the individuals of the firm are to be retained pursuant to the Agreement as specified under the **MCCPC #1**; and

**WHEREAS**, the City Council of the City of Orange Township has, by **Resolution No. \_\_\_\_\_** dated \_\_\_\_\_, authorizes **Petroleum Traders, Corp.** for the purpose of **purchasing motor fuel (regular unleaded gas)**, as specified in the attached proposal.

**NOW, THEREFORE, BE IT AGREED** by and between the parties, for the mutual convenient set forth herein below:

1. **Petroleum Traders Corp.** is hereby contracted by the City of Orange Township to provide services as specified in the attached proposal.
2. This agreement shall be effective commencing on **January 1, 2023** and terminating on **December 31, 2023.**

3. This agreement shall not be assigned nor shall any duties under this agreement be delegated by **Petroleum Traders Corp.** without prior written consent of the City.
4. The validity of this agreement and its terms or provisions, as well as the rights and duties of the contracting parties, shall be governed by and construed in accordance with the laws of the State of New Jersey.
5. This agreement shall be binding on and inure to the benefit of the contracting parties and their respective heirs, executors, administrators, legal representatives, successors, and assigns when not expressly prohibited by this agreement.
6. In case any one or more of the provisions contained in this agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision of it this agreement shall for any reason be held to be invalid, illegal, or unenforceable provision had never been contained in it.
7. This agreement constitutes the sole agreement of the contracting parties and supersedes any prior understandings or written or oral agreements between the parties respecting its subject matter.
8. All notices and other communications shall be sent by certified mail, return receipt requested, and shall be deemed to have been given when sent to the parties at their respective addresses as set forth above, unless a different address has been selected after the execution of this agreement and has been duly communicated to the party giving notice.

9. The City may terminate this Agreement upon three days notice with **Petroleum Traders Corp.** In the event that this agreement is deemed to be terminated, the City shall pay **Petroleum Traders Corp.** for those services provided as of the effective date of termination. This agreement is final and cannot be amended, supplemented, changed or modified without said being in writing.

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

ATTEST:

CITY OF ORANGE TOWNSHIP:

\_\_\_\_\_  
Joyce L. Lanier      Date  
City Clerk

\_\_\_\_\_  
Dwayne D. Warren, Esq.      Date  
Mayor

ATTEST:

Petroleum Traders Corp.  
P.O. Box 2357  
Fort Wayne, Indiana 46810-2357

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature      Date

\_\_\_\_\_  
Signature      Date

Approved as to Form and Sufficiency

\_\_\_\_\_  
Gracia R. Montilus      Date  
City Attorney

CITY OF ORANGE TOWNSHIP  
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS  
NEXT BUDGET

I, Nile Clements, Chief Financial Officer for the City of Orange Township, do hereby confirm that based on the Quote or RFP, RFQ, bid results or "extraordinary unspecifiable services" without competitive bids for 2023 service contract, and the resolution to be presented to the Council for approval, and contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2023 Budget, there will be sufficient funds to contract with:

Vendor Name: Petroleum Traders Corp.  
Address: P.O. Box 2357

City: Fort Wayne  
State: Indiana  
Zip Code: 46801-2357

Purpose: Purchase of unleaded regular gas  
Vendor ID: PETRO021

Temporary Budget: \$ 75,000.00  
Fund: Current Fund  
Line Description EVM - Equipment & Vehicle Maint. - Motor Fuel  
Account Numbers(s): CY23 3-01-26-315-000-303

The remainder of: \$ 225,000.00  
will be provided in  
Fund: Current Fund  
Line Description EVM - Equipment & Vehicle Maint. - Motor Fuel  
Account Numbers(s): CY23 3-01-26-315-000-303

Purchase Order # : 23-00067

Amount not to exceed: \$ 300,000.00

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Division Head

Date

*Nile Clements*

1/9/2023

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Chief Financial Officer

Date

**NOTIFICATION OF AWARD**

**CONTRACT #1: MOTOR GASOLINE**

**Contract Period: (One Year) January 1, 2023 – December 31, 2023**

**Notes:**

- Delivery must be by metered truck
- Octane rating must be not less than 87.0 for regular unleaded, 89.0 for mid-grade unleaded, and 93.0 for premium unleaded
- Members may have gasoline analyzed at an independent laboratory and, if it fails to meet the octane rating required by the specifications, the expense of such testing may be deducted from money due or owed to vendor
- **Up-charge consists of all costs associated with the delivery of fuel to the site, including but not limited to labor, profit, delivery charges, any fees or taxes**
- **Fuel delivery must be made within 2 working days or portion thereof from the time of initial notification**
- Members will make individual arrangements with the vendor for automatic deliveries
- **Automatic deliveries scheduled with members will expire and cease with the expiration of the contract**
- It is the responsibility of the vendor to check and verify that storage tanks (underground and above-ground) are properly registered in compliance with the DEP before making deliveries
- Each invoice for gasoline must certify the OPIS posted price on the day of delivery – pricing can be verified by contacting the MCCPC ([jlambert@randolphnj.org](mailto:jlambert@randolphnj.org)).
- **Members must be afforded up to 45 days to pay invoices**

**Vendor:** Griffith-Allied Trucking, LLC (dba Allied Oil)

**Address:** 25 Old Camplain Road, Hillsborough, New Jersey 08844

**Contact Person:** Josefina Marquez

**Title:** Bid Manager

**Tel #:** 908-575-7577, Ext. 4101

**Fax #:** 908-575-8833

**E-Mail:** [jmarquez@alliedoilco.com](mailto:jmarquez@alliedoilco.com)

**Vendor:** Petroleum Traders Corporation

**Address:** P.O. Box 2357, Fort Wayne, Indiana 46801-2357

**Contact Person:** Joseph Vanderpool

**Title:** Contract Sales Manager

**Tel #:** 888-637-7661

**Fax #:** 260-203-3820

**E-Mail:** [jvanderpool@petroleumtraders.com](mailto:jvanderpool@petroleumtraders.com)

**Trucking and delivery price per gallon added to cost of gasoline.**

<b>Category A: Tankwagon Deliveries: under 7,500 gallons per delivery to one location</b> <b>Vendor: Allied Oil</b> <b>Trade Name:</b>	<b>Trucking &amp; Delivery Price Per Gallon</b>
1. Regular Unleaded Gas:	\$0.1750 / gallon
2. Mid-Grade Unleaded Gas:	\$0.1750 / gallon
3. Premium Unleaded Gas:	\$0.1750 / gallon

**Category B: Bulk Deliveries: 7,500 gallons minimum delivery to one location**  
**Vendor: Petroleum Traders**  
**Trade Name:**

**Trucking &  
Delivery Price Per  
Gallon**

1. Regular Unleaded Gas:

\$0.0972 / gallon

2. Mid-Grade Unleaded Gas:

\$0.0964 / gallon

3. Premium Unleaded Gas:

\$0.0841 / gallon

## Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

**1** Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

**Petroleum Traders Corporation**

**2** Business name/disregarded entity name, if different from above

**3** Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC     C Corporation     S Corporation     Partnership     Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ \_\_\_\_\_

Notes: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶ \_\_\_\_\_

**4** Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) \_\_\_\_\_

Exemption from FATCA reporting code (if any) \_\_\_\_\_

(Applies to accounts maintained outside the U.S.)

**5** Address (number, street, and apt. or suite no.) See instructions.

**PO Box 2357**

**6** City, state, and ZIP code

**Fort Wayne, IN 46801-2357**

Requester's name and address (optional)

**7** List account number(s) here (optional)

Print or type. See separate instructions on page 3.

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Notes: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									

OR

Employer identification number									
3	5	-	1	4	6	2	2	2	7

### Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person ▶



Mariah Moonen, Bids Specialist

Date ▶ 7/28/2021

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

#### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1099 (home mortgage interest), 1099-E (student loan interest), 1099-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is Backup Withholding*, later.



