

STATE OF NEW HAMPSHIRE
BUREAU OF PURCHASE AND PROPERTY
STATE HOUSE ANNEX - ROOM 102
25 CAPITOL ST
CONCORD NH 03301-6398

DATE: 7/13/2020

CONTRACT #: 8002723

NIGP CODE: 405-1500

CONTRACT FOR: Fuel, Diesel – Pedal Truck, On and Off Road, Districts 1-6

CONTRACTOR: Highlands Fuel Delivery, LLC d/b/a Irving Energy

VENDOR CODE #: 177127

SUBMITTED FOR ACCEPTANCE BY:

RYAN AUBERT, PURCHASING AGENT
BUREAU OF PURCHASE AND PROPERTY

DATE _____

RECOMMENDED FOR ACCEPTANCE BY:

Paul Rhodes

PAUL RHODES, ADMINISTRATOR III
BUREAU OF PURCHASE AND PROPERTY

DATE 7/14/2020

APPROVED FOR ACCEPTANCE BY:

Gary Linetta (AS)

GARY LINETTA, DIRECTOR
Division of Procurement & Support Services

DATE 7/14/20

ACCEPTED FOR THE STATE OF NEW HAMPSHIRE UNDER THE AUTHORITY GRANTED TO ME BY NEW HAMPSHIRE REVISED STATUTES, ANNOTATED 21-I:14, XII.

Charles M. Arlinghaus

CHARLES M. ARLINGHAUS, COMMISSIONER
DEPARTMENT OF ADMINISTRATIVE SERVICES

DATE 7/16/20

Division of Procurement and Support Services
Bureau of Purchase and Property
25 Capitol Street, Room 102, State House Annex
Concord, NH 03301-6398

Date: 06/18/20
Bid No.: 2340 -21
Date of Bid Closing: 06/30/20
Time of Bid Closing: 10:00 AM (EST)

PLEASE DIRECT ANY QUESTIONS REGARDING THIS BID TO RYAN AUBERT: E-mail RYAN.AUBERT@DAS.NH.Gov
EMAIL YOUR BID TO: NH.Purchasing@DAS.NH.Gov

BID INVITATION FOR CONTRACT: ON & OFF ROAD DIESEL, PEDAL TRUCK, SUPPLY & DELIVER

[Insert name of signor] Gregory B. Poitras, on behalf of Highlands Fuel Delivery LLC [insert name of entity submitting bid (collectively referred to as "Vendor")] hereby submits an offer as contained in the written bid submitted herewith ("Bid") to the State of New Hampshire in response to BID 2340-21 at the price(s) quoted herein in complete accordance with the bid.

Vendor attests to the fact that:

1. The Vendor has reviewed and agreed to be bound by the Bid.
2. The Vendor has not altered any of the language or other provisions contained in the Bid document.
3. The Bid is effective for a period of 180 days from the Bid Closing date as indicated above.
4. The prices Vendor has quoted in the Bid were established without collusion with other vendors.
5. The Vendor has read and fully understands this Bid.
6. Further, in accordance with RSA 21-I:11-c, the undersigned Vendor certifies that neither the Vendor nor any of its subsidiaries, affiliates or principal officers (principal officers refers to individuals with management responsibility for the entity or association):
 - a. Has, within the past 2 years, been convicted of, or pleaded guilty to, a violation of RSA 356:2, RSA 356:4, or any state or federal law or county or municipal ordinance prohibiting specified bidding practices, or involving antitrust violations, which has not been annulled;
 - b. Has been prohibited, either permanently or temporarily, from participating in any public works project pursuant to RSA 638:20;
 - c. Has previously provided false, deceptive, or fraudulent information on a vendor code number application form, or any other document submitted to the state of New Hampshire, which information was not corrected as of the time of the filing a bid, proposal, or quotation;
 - d. Is currently debarred from performing work on any project of the federal government or the government of any state;
 - e. Has, within the past 2 years, failed to cure a default on any contract with the federal government or the government of any state;
 - f. Is presently subject to any order of the department of labor, the department of employment security, or any other state department, agency, board, or commission, finding that the applicant is not in compliance with the requirements of the laws or rules that the department, agency, board, or commission is charged with implementing;
 - g. Is presently subject to any sanction or penalty finally issued by the department of labor, the department of employment security, or any other state department, agency, board, or commission, which sanction or penalty has not been fully discharged or fulfilled;
 - h. Is currently serving a sentence or is subject to a continuing or unfulfilled penalty for any crime or violation noted in this section;
 - i. Has failed or neglected to advise the division of any conviction, plea of guilty, or finding relative to any crime or violation noted in this section, or of any debarment, within 30 days of such conviction, plea, finding, or debarment; or
 - j. Has been placed on the debarred parties list described in RSA 21-I:11-c within the past year.

This document shall be signed by a person who is authorized to legally obligate the responding vendor. A signature on this document indicates that all State of New Hampshire terms and conditions are accepted by the responding vendor and that any and all other terms and conditions submitted by the responding vendor are null and void, even if such terms and conditions have terminology to the contrary. The responding vendor shall also be subject to State of New Hampshire terms and conditions as stated on the reverse of the purchase order.

Authorized Signor's Signature [Signature] Authorized Signor's Title Gregory B. Poitras
Secretary

NOTARY PUBLIC/JUSTICE OF THE PEACE

COUNTY: Rockingham STATE: NH ZIP: 03801

On the 26 day of June, 2020, Highlands Fuel Delivery LLC personally appeared before me, the above named Gregory B. Poitras, in his/her capacity as authorized representative of Highlands Fuel Delivery LLC, known to me or satisfactorily proven, and took oath that the foregoing is true and accurate to the best of his/her knowledge and belief.

In witness thereof, I hereunto set my hand and official seal.

[Signature]
(Notary Public/Justice of the Peace)

TERYN M. ALLEN, Notary Public
State of New Hampshire
My Commission Expires March 21, 2023

My commission expires: 3.21.23 (Date)

Unless specifically amended or deleted by the Division of Procurement and Support Services, the following General Terms and Conditions apply to this Bid and any resulting Purchase Order or Contract.

Form P31-B

Revised: 1/18/19 LMR

division and authorized non-profit organization wishing to participate, in accordance with all of the requirements of this bid invitation in the pricing provided on **Attachment D: RFB 2340-21 Pedal Truck Offer Sheet** for the entire contract term and any extension.

VENDOR CONTACT INFORMATION:

Please provide contact information below for a person knowledgeable of and who can answer questions regarding, this bid response.

<u>Tara Frost</u> Contact Person	<u>(603) 559-8834</u> Local Telephone Number	<u>(888) 310-1924</u> Toll Free Telephone Number
<u>tara.frost@irvingoil.com</u> E-mail Address	<u>www.irvingoil.com</u> Company Website	<u>01-901-0529</u> DUNS #
<u>Highlands Fuel Delivery LLC DBA Irving Energy 190 Commerce Way Portsmouth, NH 03801</u>		

If required, please see NH District Map for clarifications.

<https://www.nh.gov/dot/org/operations/highwaymaintenance/documents/DistrictEngineersMap-August2015.pdf>

ATTACHMENTS:

The following attachments are an integral part of this bid invitation:

- Attachment A: On-Off Road Diesel Locations
- Attachment B: Sample Tax Exempt Certificate
- Attachment C: RFB 2340-21 Pedal Truck Offer Sheet

Note: To be considered, bid shall be signed and notarized on front cover sheet in the space provided.

Business Information

Business Details

Business Name:	HIGHLANDS FUEL DELIVERY, LLC	Business ID:	298916
Business Type:	Foreign Limited Liability Company	Business Status:	Good Standing
Business Creation Date:	09/21/1998	Name in State of Formation:	HIGHLANDS FUEL DELIVERY, LLC
Date of Formation in Jurisdiction:	09/21/1998	Mailing Address:	190 Commerce Way, Portsmouth, NH, 03801, USA
Principal Office Address:	190 Commerce Way, Portsmouth, NH, 03801, USA		
Citizenship / State of Formation:	Foreign/Maine	Last Annual Report Year:	2020
		Next Report Year:	2021
Duration:	Perpetual	Phone #:	506-202-7381
Business Email:	ldunn@perkinsthompson.com	Fiscal Year End Date:	NONE
Notification Email:	ldunn@perkinsthompson.com		

Principal Purpose

S.No	NAICS Code	NAICS Subcode
1	OTHER / Fuel delivery	

Page 1 of 1, records 1 to 1 of 1



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/13/2020

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 Marsh Canada Limited 120 Bremner Blvd., Suite 800 Attn: Canada.Certrequest@marsh.com Toronto, ON, M5J 0A8 CN101507680--XS-20-21	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS:	FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE	
INSURED Highlands Fuel Delivery, LLC dba Irving Energy 85 Mechanic Street Lebanon, NH 03766	INSURER A : ACE American Insurance Company	
	INSURER B : ACE Property & Casualty Insurance Company	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** HOU-003402862-11 **REVISION NUMBER:** 6

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 <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> \$1,900,000 SIR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			XSLG27239559	03/31/2020	03/31/2021	EACH OCCURRENCE \$ 100,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 50,000 PERSONAL & ADV INJURY \$ 100,000 GENERAL AGGREGATE \$ 100,000 PRODUCTS - COMP/OP AGG \$ 100,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			MCCH08138382	03/31/2020	03/31/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 2,000,000			XOOG27238555	03/31/2020	03/31/2021	EACH OCCURRENCE \$ 8,000,000 AGGREGATE \$ 8,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER State of New Hampshire Division of Plant and Property Management Bureau of Purchase and Property 25 Capitol Street, State House Annex Concord, NH 03301-6398	CANCELLATION 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 of Marsh USA Inc. Manashi Mukherjee <i>Manashi Mukherjee</i>
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ADDITIONAL REMARKS SCHEDULE

AGENCY Marsh Canada Limited		NAMED INSURED Highlands Fuel Delivery, LLC dba Irving Energy 85 Mechanic Street Lebanon, NH 03766	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

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

Excess Layer 1
 Policy Number: B0509ENGAO2000038
 Carrier: Zurich Insurance Company Ltd
 Effective Dates: 03/31/2020 - 03/31/2021
 Limit: 15,00,000 xs 8,000,000

Excess Layer 2
 Policy Number: B0509ENGAO2000057
 Carrier: Lloyd's Underwriters
 Effective Dates: 03/31/2020 - 03/31/2021
 Limit: 10,000,000 xs 23,000,000

Excess Layer 3
 Policy Number: CEX00062
 Carrier: Lloyd's Underwriters
 Effective Dates: 03/31/2020 - 03/31/2021
 Limit: 10,000,000 xs 33,000,000

Excess Layer 4
 Policy Number: B0509ENGAO2000054
 Carrier: Lloyd's Underwriters
 Effective Dates: 03/31/2020 - 03/31/2021
 Limit: 10,000,000 xs 43,000,000

Excess Layer 5
 Policy Number: ENGAO2000055 // ENGAO2000052
 Carriers: Lloyd's Underwriters - 50%
 Zurich Insurance PLC - 50%
 Effective Dates: 03/31/2020 - 03/31/2021
 Limit: 15,000,000 xs 53,000,000

The above Excess Liability policies are written in USD. The General, Auto and Umbrella Liability policies were placed by Marsh USA Inc. Marsh Canada Limited has only acted in the role of a consultant to this placement, which is indicated here for your convenience.

