

BILL NO. S-20-05-21

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE approving the awarding for PURCHASE OF DIESEL FUEL FOR 2020 – (\$159,500.00) by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and LASSUS BROTHERS INC. for the Fleet Operations Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That PURCHASE OF DIESEL FUEL FOR 2020 - between the City of Fort Wayne, by and through its Department of Purchasing and LASSUS BROTHERS INC. for the Fleet Operations, respectfully for:

purchase of diesel fuel for 2020 from twenty-eight local stations throughout the City for Public Safety/Fire Department and Street Department.

involving a total cost of ONE HUNDRED FIFTY-NINE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS - (\$159,500.00) all as more particularly set forth in said PURCHASE OF DIESEL FUEL FOR 2020 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

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SECTION 2. That this Ordinance shall be in full force and effect from
and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Carol Helton, City Attorney

CITY OF FORT WAYNE, INDIANA

Lassus Bros. Oil, Inc.
(Vendor Name)

VENDOR DISCLOSURE STATEMENT RELATING TO:

- 1. FINANCIAL INTERESTS;**
- 2. POTENTIAL CONFLICTS OF INTEREST;**
- 3. CURRENT AND PENDING CONTRACTS OR PROCUREMENTS**

Vendors desiring to enter into certain contracts with the City of Fort Wayne, Indiana (the "City") shall disclose their financial interests, potential conflicts of interest and current and pending contract or procurement information as set forth below.

The following disclosures by Vendors are required for all contracts with annual payments by the City in the amount of \$50,000 or more. Vendors shall disclose their financial interests, potential conflicts of interest and other contract and procurement information identified in Sections 1, 2 and 3 below as a prerequisite for consideration for a contract awarded by the City. This Disclosure Statement must be completed and submitted together with the Vendor's contract, bid, proposal or offer.

A publicly traded entity may submit its current 10K disclosure filing in satisfaction of the disclosure requirements set forth in Sections 1 and 2 below.

Section 1: Disclosure of Financial Interest in Vendor

- a. If any individuals have either of the following financial interests in Vendor (or its parent), please check all that apply and provide their names and addresses (attach additional pages as necessary):

(i) Equity ownership exceeding 5% ☒ (X)

(ii) Distributable income share exceeding 5% ☐

(iii) Not Applicable (If N/A, go to Section 2) ☐

Name: (See Attached) _____ Name: _____

Address: _____ Address: _____

- b. For each individual listed in Section 1a. show his/her type of equity ownership:

sole proprietorship ☐ stock ☒ (X)

partnership interest ☐ units (LLC) ☐

other (explain) _____

- c. For each individual listed in Section 1a. show the percentage of ownership interest in Vendor (or its parent):
ownership interest:

Name: ___(See Attached)_____ %

Name: _____ %

Section 2: Disclosure of Potential Conflicts of Interest (not applicable for vendors who file a 10K)

For each individual listed in Section 1a, check "Yes" or "No" to indicate which, if any, of the following potential conflict of interest relationships apply. If "Yes", please describe using space under applicable subsection (attach additional pages as necessary):

- a. City employment, currently or in the previous 3 years, including contractual employment for services:
Yes _____ No X (All)

- b. City employment of "Member of Immediate Family" (defined herein as: Spouse, Child, Step Child, Parent or Step Parent, Father-in-law or Mother-in-law, Brother or Sister, Step Brother or Step Sister, Half Brother or Half Sister, Brother-in-law or Sister-in-law, Son-in-law or Daughter-in-law, Grandparent or Step Grandparent, Grandparent or Step Grandparent of Spouse, Grandchild)
Including contractual employment for services in the previous 3 years:

Yes _____ No X (All)

- c. Relationship to Member of Immediate Family holding elective City office currently or in the previous 3 years: Yes _____ No X (All)

Section 3: DISCLOSURE OF OTHER CONTRACT AND PROCUREMENT RELATED INFORMATION

- a. Does Vendor have current contracts (including leases) with the City? Yes X No _____

If "Yes", identify each current contract with descriptive information including purchase order or contract reference number, contract date and City contact below (attach additional pages as necessary).

Sale of 714,000 gallons of fuel @ fixed cost, for calendar 2019, dated 7/2/18, Ordinance Bill 5-18-04-10.

- b. Does Vendor have pending contracts (including leases), bids, proposals, or other pending procurement relationship with the City? Yes X No _____

If "Yes", identify each pending matter with descriptive information including bid or project number, contract date and City contact using space below (attach additional pages as necessary).

Sale of 714,000 gallons of fuel @ fixed cost, for calendar 2020, dated 1/2/19.

- c. Does vendor have any existing employees that are also employed by the City of Fort Wayne?

Yes _____ No _____ (N/A)

If "Yes", provide the employee's name, current position held at vendor, and employment payment terms (hourly, salaried, commissioned, etc.).

Name / Position / Payment Terms:

Name / Position / Payment Terms:

Name / Position / Payment Terms:

- d. Does vendor's representative, agent, broker, dealer or distributor (if applicable) have any existing employees that are also employed by the City of Fort Wayne? For each instance, please provide the name of the representative, agent, broker, dealer or distributor; the name of the City employee, and the payment terms (hourly, salaried, commissioned, etc.).

Company / Name / Payment Terms: ____ (N/A) _____

Company / Name / Payment Terms: _____

Section 4: CERTIFICATION OF DISCLOSURES

In connection with the disclosures contained in Sections 1, 2 and 3 Vendor hereby certifies that, except as described in attached Schedule A:

- a. Vendor (or its parent) has not, within the five (5) year period preceding the date of this Disclosure Statement, been debarred, suspended, proposed for debarment declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. No officer or director of Vendor (or its parent) or individual listed in Section 1a. is presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any offense;
- c. Vendor (or its parent) has not, within the five (5) year period preceding the date of this Disclosure Statement, had one or more public transactions (federal, state or local) terminated for cause or default;
- d. No officer or director of Vendor (or its parent) or individual listed in Section 1a. has, within the five (5) year period preceding the date of this Disclosure Statement, been convicted, adjudged guilty, or found liable in any criminal or civil action instituted by the City, the federal or state government or any other unit of local government; and
- e. Neither Vendor, nor its parent, nor any affiliated entity of Vendor, or any of their respective officers, directors, or individuals listed in Section 1a. is barred from contracting with any unit of any federal, state or local government as a result of engaging in or being convicted of: (i) bid-rigging; (ii) bid-rotating; or (iii) any similar federal or state offense that contains the same elements as the offense of bid-rigging or bid-rotating
- f. Pursuant to IC 5-22-16.5, Vendor hereby certifies they do NOT provide \$20 million dollars or more in goods or services to the energy sector of Iran. Vendor also certifies it is not a financial institution that extends \$20 million dollars or more in credit that will provide goods or services to

the energy sector of Iran or extends \$20 million dollars or more in credit to a person identified on the list as a person engaging in investment activities in Iran.

The disclosures contained Sections 1, 2 and 3 and the foregoing Certifications are submitted by

Lassus Bros. Oil, Inc. _____ 1800 Magnavox Way, Ft Wayne, IN 46804

(Name of Vendor)

Address

(260) 436-1415

Telephone

carmd@lassus.com _____

E-Mail Address

The individual authorized to sign on behalf of Vendor represents that he/she: (a) is fully informed regarding the matters pertaining to Vendor and its business; (b) has adequate knowledge to make the above representations and disclosures concerning Vendor; and (c) certifies that the foregoing representations and disclosures are true and accurate to the best of his/her knowledge and belief.

Name (Printed) Dan Carmichael _____

Title CFO _____

Signature _____

Date 12/30/19 _____

NOTE: FAILURE TO COMPLETE AND RETURN THIS FORM WITH YOUR DOCUMENTATION MAY RESULT IN YOUR CONTRACT, OFFER, BID OR PROPOSAL BEING DISQUALIFIED FROM CONSIDERATION.

Lassus Bros. Oil, Inc.

Owners with Equity Exceeding 5%

President	Todd Lassus	10810 Birkdale Ct, Ft Wayne IN 46814	31.75%
VP	Greg J. Lassus	11019 Chestnut Ridge Ct, Ft Wayne IN 46814	31.75%
VP	Jon R. Lassus	9933 Winding Creek Ln, Ft Wayne IN 46804	31.75%

COUNCIL DIGEST SHEET

Enclosed with this introduction form is a tab sheet and related material from the vendor(s) who submitted bid(s). Purchasing Department is providing this information to Council as an overview of this award.

RFPs & BIDS

Bid/RFP #	Lassus Diesel @ Lassus locations
Awarded To	Lassus Brothers Inc.,
Amount	\$159,500
Conflict of interest on file?	☒ Yes ☐ No
Number of Registrants	
Number of Bidders	NA
Required Attachments	

EXTENSIONS

Date Last Bid Out	August 2006
# Extensions Granted To Date	

SPECIAL PROCUREMENT

Contract #/ID (State, Federal, Piggyback--Authority)	
Sole Source/ Compatibility Justification	Twenty eight locations throughout the City stations close to Fire stations and north maintenance street facility. Closer fueling sites not going out of service to fuel up.

BID CRITERIA *(Take Buy Indiana requirements into consideration.)*

Most Responsible, Responsive Lowest	☐ Yes ☐ No <i>If no, explain below</i>
If not lowest, explain	

COUNCIL DIGEST SHEET

COST COMPARISON

<i>Increase/decrease amount from prior years For annual purchase (if available).</i>	Increase cost for 2020 due to road tax implemented in July 2017 and fuel prices rising. Purchase off Spot pricing
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DESCRIPTION OF PROJECT / NEED

<i>Identify need for project & describe project; attach supporting documents as necessary.</i>	Supplies Diesel fuel at twenty-eight locations throughout the City emergency vehicles/Fire trucks not having to go out of service for a long period of time traveling to fuel up at the City complex on Lafayette street. Station close to the Street department north maintenance facility

REQUEST FOR PRIOR APPROVAL

<i>Provide justification if prior approval is being requested.</i>	

FUNDING SOURCE

<i>Account Information.</i>	Fleet Department budget line 406CNTC3 5232

Memo

To: City Council
From: Larry Campbell, Director of Fleet Operations
Date: May 14, 2020
Re: Diesel Fuel Lassus Brothers INC, 2020

Dear Council

In regards to the Diesel Fuel for 2020 contract with Lassus Brothers INC, estimated not to exceed \$159,500. for 65,000 Gallons. Per gallon price is of OPIS pricing which changes daily. Pricing of this commodity changes on a daily basis.

This is a unique opportunity to obtain diesel fuel for 2020 from twenty-eight local stations throughout the area. This is used by the Public safety/Fire Department and Street Department throughout the year so they do not have to drive back to the Lafayette street complex to refuel having to go out of service. Along with City Utilities departments in emergency such as a flood to keep the large pumps running.

City Fleet Management is able to down load transactions from Lassus daily and import into the City Fleet management software program just like if they had fueled at the City complex.

Lassus Brothers is registered as buy Indiana and local Fort Wayne Company

Thank you Larry Campbell

G/ drive shared award letters 2020 Diesel Fuel Lassus 2020