



Staff Summary A-27-2020

Subject: Portable Ventilators (refurbished)
Department:
Department of Shared Services/Office of Purchasing
Department Head Name:
Melissa Gallucci
Department Head Signature:
<i>Melissa Gallucci</i>

Date: April 13, 2020
Vendor Name:
Acute Care Gases II LLC
Contract Number
A-27-2020
Contract Manager Name
Timothy Funaro

Proposed Legislative Action					
	To	Date	Approval	Info	Other
	Assn Comm				
	Rules Comm				
	Full Leg				

Internal Approvals			
Date & Init.	Approval	Date & Init.	Approval
	Dept. Head		
	Budget	04/27/2020 JS	County Atty.
	Deputy C.E.		County Exec.

Narrative

Purpose: To ratify the award and execution of a purchase order for the Office of Emergency Management for twenty (20) ventilators (refurbished) made on an emergency basis pursuant to Section 702(d) of the Nassau County Charter.

Discussion: The Nassau County Office of Emergency Management requested an emergency procurement of ventilators needed to help Nassau County and the Nassau County University Medical Center respond to the COVID-19 outbreak. The original purchase order was for one hundred (100) portable ventilators (refurbished) at a total cost of Nine Hundred Thirty Thousand Dollars (\$930,000.00). The purchase order was later modified and reduced to twenty (20) portable ventilators (refurbished) since the Office of NY Responds (NYS Division of Homeland Security & Emergency Services) was able to provide the County with eighty-seven (87) ventilators.

The Commissioner of Shared Services was authorized by the County Executive to immediately purchase from the open market the necessary materials, supplies, equipment and services to address the COVID-19 public health emergency pursuant to an Emergency Purchase Authorization dated February 7, 2020. The ventilators, which are critical in providing care to patients with COVID-19, have been in extremely short supply. The Department of Shared Services is satisfied that Acute Care Gases II LLC is a responsible vendor and was the lowest priced vendor for portable ventilators that the County could identify that could meet the County's delivery requirements, had available stock, could meet required specifications, and was willing to accept a County purchase order for payment.

The Commissioner of Shared Services now seeks the County Legislature's approval to ratify this emergency purchase of portable ventilators (refurbished).

Impact on Funding: The maximum amount authorized under this purchase order shall be One Hundred and Eighty-six Thousand Dollars (\$186,000.00) from general funds.

Recommendation: The Commissioner of Shared Services recommends that the Nassau County Legislature ratify the award and execution of the said purchase order with Acute Care Gases II LLC.

INSURANCE APPROVAL: *JS* 04/27/2020

COUNTY OF NASSAU

INTER - DEPARTMENTAL MEMO

TO: CLERK OF THE COUNTY LEGISLATURE

A-27-2020

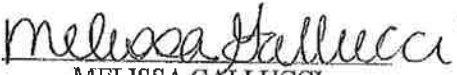
FROM: MELISSA GALLUCCI - COMMISSIONER OF SHARED SERVICES

DATE: APRIL 27, 2020

SUBJECT: RESOLUTION - THE NASSAU COUNTY OFFICE OF EMERGENCY MANAGEMENT

THIS RESOLUTION IS RECOMMENDED BY THE COMMISSIONER OF SHARED SERVICES TO RATIFY THE AWARD AND EXECUTION OF A PURCHASE ORDER IN THE AMOUNT OF ONE HUNDRED EIGHTY-SIX THOUSAND DOLLARS (\$186,000.00) ON BEHALF OF THE NASSAU COUNTY OFFICE OF EMERGENCY MANAGEMENT TO ACUTE GAS CARE GASES II LLC FOR TWENTY (20) PORTABLE VENTILATORS (REFURBISHED).

THE ABOVE DESCRIBED RESOLUTION AND SUPPORTING DOCUMENTATION ATTACHED HERETO IS FORWARDED FOR YOUR REVIEW, APPROVAL, AND SUBSEQUENT TRANSMITTAL TO THE NASSAU COUNTY LEGISLATURE FOR INCLUSION IN ITS AGENDA.


MELISSA GALLUCCI
COMMISSIONER OF SHARED SERVICES

MS: br

ENCL: (1) STAFF SUMMARY
(2) DISCLOSURE STATEMENT
(3) RESOLUTION
(4) CERTIFICATE OF LIABILITY INSURANCE
(5) POLITICAL CONTRIBUTION FORM

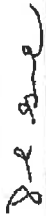


RESOLUTION

2020

A RESOLUTION RATIFYING THE COMMISSIONER OF SHARED SERVICES AWARD
AND EXECUTION OF A PURCHASE ORDER BETWEEN THE COUNTY OF NASSAU,
ACTING ON BEHALF OF THE NASSAU COUNTY OFFICE OF EMERGENCY
MANAGEMENT, AND ACUTE CARE GASES II LLC

APPROVED AS TO FORM



Deputy County Attorney
Daniel Gregware

WHEREAS, the County Executive has authorized the Commissioner of Shared Services, pursuant to Section 702(d) of the Nassau County Charter, to immediately purchase from the open market the necessary materials, supplies, equipment and services to address the COVID-19 public health emergency; and

WHEREAS, the Commissioner of Shared Services has made an award to Acute Care Gases II LLC to provide portable ventilators (refurbished) on an emergency basis to assist Nassau County and the Nassau County University Medical Center in their response to the COVID-19 public health emergency;

RESOLVED, the Nassau County Legislature ratifies the Commissioner of Shared Services award and execution of the said Purchase Order with Acute Care Gases II LLC.



COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator?

YES ☐ NO ☒ If yes, to what campaign committee?

2. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees identified above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Electronically signed and certified at the date and time indicated by:
Ben Cohen [BEN@ACGASES.COM]

Dated: 04/13/2020 12:04:56 PM

Vendor: Acute Care Gases II LLC

Title: CEO



COUNTY OF NASSAU

LOBBYIST REGISTRATION AND DISCLOSURE FORM

1. Name, address and telephone number of lobbyist(s)/lobbying organization. The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

None

2. List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

None

3. Name, address and telephone number of client(s) by whom, or on whose behalf, the lobbyist is retained, employed or designated:

None

4. Describe lobbying activity conducted, or to be conducted, in Nassau County, and identify client(s) for each activity listed. See the last page for a complete description of lobbying activities.

None

5. The name of persons, organizations or governmental entities before whom the lobbyist expects to lobby:

None

6. If such lobbyist is retained or employed pursuant to a written agreement of retainer or employment, you must attach a copy of such document; and if agreement of retainer or employment is oral, attach a written statement of the substance thereof. If the written agreement of retainer or employment does not contain a signed authorization from the client by whom you have been authorized to lobby, separately attach such a written authorization from the client.

7. Has the lobbyist/lobbying organization or any of its corporate officers provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator?

YES ☐ NO ☒ If yes, to what campaign committee? If none, you must so state:

I understand that copies of this form will be sent to the Nassau County Department of Information Technology ("IT") to be posted on the County's website.

I also understand that upon termination of retainer, employment or designation I must give written notice to the County Attorney within thirty (30) days of termination.

VERIFICATION: The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees listed above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Electronically signed and certified at the date and time indicated by:
Ben Cohen [BEN@ACGASES.COM]

Dated: 04/13/2020 12:13:20 PM

Vendor: Acute Care Gases

Title: CEO

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including but not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

The term "lobbying" or "lobbying activities" does not include: Persons engaged in drafting legislation, rules, regulations or rates; persons advising clients and rendering opinions on proposed legislation, rules, regulations or rates, where such professional services are not otherwise connected with legislative or executive action on such legislation or administrative action on such rules, regulations or rates; newspapers and other periodicals and radio and television stations and owners and employees thereof, provided that their activities in connection with proposed legislation, rules, regulations or rates are limited to the publication or broadcast of news items, editorials or other comment, or paid advertisements; persons who participate as witnesses, attorneys or other representatives in public rule-making or rate-making proceedings of a County agency, with respect to all participation by such persons which is part of the public record thereof and all preparation by such persons for such participation; persons who attempt to influence a County agency in an adjudicatory proceeding, as defined by § 102 of the New York State Administrative Procedure Act.

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Ben Cohen
Date of birth: 06/03/1984
Home address: 172 Columbia Boulevard
City: Waterbury State/Province/Territory: CT Zip/Postal Code: 06710
Country: US

Business Address: 23 Nutmeg Valley Rd.
City: Wolcott State/Province/Territory: CT Zip/Postal Code: 06716
Country: US
Telephone: 8553991224

Other present address(es):
City: Wolcott State/Province/Territory: CT Zip/Postal Code: 06716
Country: US
Telephone: 8553991224

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

President	_____	Treasurer	_____
Chairman of Board	_____	Shareholder	_____
Chief Exec. Officer	<u>05/20/2016</u>	Secretary	_____
Chief Financial Officer	_____	Partner	_____
Vice President	_____		
(Other)	_____		

3. Do you have an equity interest in the business submitting the questionnaire?

YES ☒ NO ☐ If Yes, provide details.

8%

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?

YES ☐ NO ☒ If Yes, provide details.

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?

YES ☐ NO ☒ If Yes, provide details.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?
YES ☐ NO ☒ If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

- a. Been debarred by any government agency from entering into contracts with that agency?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?

YES ☐ NO ☒ If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

- 9.
- a. Is there any felony charge pending against you?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.
- b. Is there any misdemeanor charge pending against you?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.
- c. Is there any administrative charge pending against you?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.
- d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? Y
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.
- e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.
- f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

10. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

11. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

12. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

13. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

I, Ben Cohen, hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Ben Cohen, hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Acute Care Gases

Name of submitting business

Electronically signed and certified at the date and time indicated by:

Ben Cohen [BEN@ACGASES.COM]

CEO

Title

04/13/2020 12:27:46 PM

Date

Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

NOTE: All questions require a response, even if response is "none" or "not-applicable." No blanks.

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: 04/13/2020

- 1) Proposer's Legal Name: Acute Care Gases II LLC
- 2) Address of Place of Business: 23 Nutmeg Valley Rd
City: Wolcott State/Province/Territory: CT Zip/Postal Code: 06716
Country: US
- 3) Mailing Address (if different): _____
City: _____ State/Province/Territory: CT Zip/Postal Code: _____
Country: US
Phone: _____
Does the business own or rent its facilities? Rent If other, please provide details: _____
- 4) Dun and Bradstreet number: 080309021
- 5) Federal I.D. Number: 81-2966164
- 6) The proposer is a: Partnership (Describe) _____
- 7) Does this business share office space, staff, or equipment expenses with any other business?
YES ☐ NO ☒ If yes, please provide details: _____
- 8) Does this business control one or more other businesses?
YES ☐ NO ☒ If yes, please provide details: _____
- 9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business?
YES ☒ NO ☐ If yes, please provide details: _____
Acute Care Gases of NY LLC

Acute Care Gases of CT LLC
Acute Care Gases of MA LLC
LS Texas LLC

1 File(s) Uploaded: Share certificates.docx

- 10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated?
YES ☐ NO ☒ If yes, state the name of bonding agency, (If a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (If a contract).

- 11) Has the proposer, during the past seven years, been declared bankrupt?
YES ☐ NO ☒ If yes, state date, court jurisdiction, amount of liabilities and amount of assets

- 12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.
YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business.
YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:
a) Any felony charge pending?
YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

b) Any misdemeanor charge pending?
YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?
YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?
YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions?
YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES ☐ NO ☒ If yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire.

17 Conflict of Interest:

a) Please disclose any conflicts of interest as outlined below. NOTE: If no conflicts exist, please expressly state "No conflict exists."

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

NONE

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

NONE

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

NONE

- b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.

If a conflict of interest should arise guidance should be sought from the County

- A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Have you previously uploaded the below information under in the Document Vault?

YES ☐ NO ☒

Is the proposer an individual?

YES ☐ NO ☒ Should the proposer be other than an individual, the Proposal MUST Include:

- i) Date of formation;

05/20/2016

- ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner. If none, explain.

No Individuals with a financial interest in the company have been attached..

1 File(s) Uploaded: Share certificates.docx

- iii) Name, address and position of all officers and directors of the company. If none, explain.

Attached

First Name	Ben			
Last Name	Cohen			
MI		Suffix		
Address	23 Nutmeg Valley Rd			
City	Wolcott	State/Province/Territory	NY	Zip/Postal Code 06716
Country	US			
Position	Chief Exec. Officer			

- iv) State of Incorporation (if applicable);

CT

- v) The number of employees in the firm;

32

B. Indicate number of years in business.

4

C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.

NONE

D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

Company Philips Respironics
Contact Person Michelle Kapp
Address 5 Technology Dr.
City Wallingford State/Province/Territory CT
Country US
Telephone (800) 345-6443
Fax #
E-Mail Address rms@philips.com

Company Praxair Inc.
Contact Person Myron Stewart
Address 10 Riverview Dr.
City Danbury State/Province/Territory CT
Country US
Telephone (203) 558-5905
Fax #
E-Mail Address Myron_Stewart@praxair.com

Company Sunset Medical
Contact Person Phil Cosuins
Address 2201 S Halsted St #1344
City Chicago State/Province/Territory CT
Country US
Telephone (312) 997-9980
Fax #
E-Mail Address pcosens@sunsethcs.com

I, Ben Cohen, hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Ben Cohen, hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Name of submitting business: Acute Care Gases

Electronically signed and certified at the date and time indicated by:
Ben Cohen [BEN@ACGASES.COM]

CEO

Title

04/27/2020 02:10:04 PM

Date

Schedule 1 (Percentages)

<u>Members</u>	<u>Initial Call Percentages</u>	<u>Required Call Percentages</u>	<u>Relative Interests</u>
BC Gas, LLC (Itamar Ben Cohen)	0.0%	8.0834%	8.0834%
Simcha Hyman	0.0%	8.0833%	8.0833%
Naftali Zanziper	0.0%	8.0833%	8.0833%
Efroim Fasten	0.00%	0.75%	0.75%
LS Texas, LLC (Scheiner and Lichtschein)	93%	65%	65%
Walnut Court Capital Advisors II, LLC	0.0%	0.0%	3.0%
WCCA Fixed Interest			
Walnut Court Capital Advisors II, LLC	7.0%	7.0%	7.0%
WCCA Variable Interest			
Total	100.00%	100.00%	100.00%

COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM

1. Name of the Entity: Acute Care Gases

Address: 23 Nutmeg Valley Rd

City: Wolcott State/Province/Territory: CT Zip/Postal Code: 06716

Country: US

2. Entity's Vendor Identification Number: 81-2966164

3. Type of Business: Ltd. Liability Co (specify) _____

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

1 File(s) uploaded Share certificates.docx

First Name	<u>Ben</u>		
Last Name	<u>Cohen</u>		
MI	_____	Suffix	_____
Address	<u>23 Nutmeg Valley Rd</u>		
City	<u>Wolcott</u>	State/Province/Territory:	<u>NY</u> Zip/Postal Code: <u>06716</u>
Country	<u>US</u>		
Position	<u>Chief Exec. Officer</u>		

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation, include a copy of the 10K in lieu of completing this section.

If none, explain.

Attached in 4

No shareholders, members, or partners have been attached to this form.

6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company that may take part in the performance of this contract. Such disclosure shall be updated to include affiliated or subsidiary companies not previously disclosed that participate in the performance of the contract.

LS Texas LLC
Acute Care Gases of NY LLC
Acute Gases of CT LLC
Acute Care Gases of MA LLC
They will not perform any part of this contract

1 File(s) uploaded Share certificates.docx

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). If none, enter
Page 1 of 3

"None." The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

Are there lobbyists involved in this matter?

YES ☐ NO ☒

(a) Name, title, business address and telephone number of lobbyist(s):

23 Nutmeg Valley Rd

(b) Describe lobbying activity of each lobbyist. See below for a complete description of lobbying activities.

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

8. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Electronically signed and certified at the date and time indicated by:

Ben Cohen [BEN@ACGASES.COM]

Dated: 04/27/2020 02:38:43 PM

Title: CEO

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including but not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

Schedule 1 (Percentages)

<u>Members</u>	<u>Initial Call Percentages</u>	<u>Required Call Percentages</u>	<u>Relative Interests</u>
BC Gas, LLC (Itamar Ben Cohen)	0.0%	8.0834%	8.0834%
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Total	100.00%	100.00%	100.00%



COUNTY OF NASSAU
Laura Curran, County Executive
Theodore Roosevelt Executive and Legislative Office Building
1550 Franklin Avenue
Mineola, NY 11501

EMERGENCY PURCHASE AUTHORIZATION

WHEREAS, the Commissioner of Shared Services, Department of Shared Services for the County of Nassau, New York has recommended that the recent public health Coronavirus outbreak has necessitated an immediate purchase in the open market of the necessary materials, supplies, equipment and services to address this public health emergency, there being insufficient time for and a need to dispense with the requirements for public notice and taking of bids.

NOW THEREFORE, I, Laura Curran, County Executive of the County of Nassau, do hereby authorize the Commissioner of the Shared Services, Department of Shared Services for the County of Nassau, New York, or her designee, pursuant to Section 702(d) of the Nassau County Charter, to immediately purchase from the open market the necessary materials, supplies, equipment and services to address this public health emergency.

Dated as of: February 7, 2020

A handwritten signature in dark ink, appearing to read "Laura Curran", is written over a horizontal line.

LAURA CURRAN, COUNTY EXECUTIVE



No. 202

EXECUTIVE ORDER

Declaring a Disaster Emergency in the State of New York

WHEREAS, on January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern;

WHEREAS, on January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19;

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and more are expected to continue; and

WHEREAS, New York State is addressing the threat that COVID-19 poses to the health and welfare of its residents and visitors.

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, hereby find, pursuant to Section 28 of Article 2-B of the Executive Law, that a disaster is impending in New York State, for which the affected local governments are unable to respond adequately, and I do hereby declare a State disaster emergency for the entire State of New York. This Executive Order shall be in effect until September 7, 2020; and

IN ADDITION, this declaration satisfies the requirements of 49 C.F.R. 390.23(a)(1)(A), which provides relief from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations (FMCSR). Such relief from the FMCSR is necessary to ensure that crews are available as needed.

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I direct the implementation of the State Comprehensive Emergency Management Plan and authorize all necessary State agencies to take appropriate action to assist local governments and individuals in containing, preparing for, responding to and recovering from this state disaster emergency, to protect state and local property, and to provide such other assistance as is necessary to protect public health, welfare, and safety.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 6, 2020 the following:

Section 112 of the State Finance Law, to the extent consistent with Article V, Section 1 of the State Constitution, and to the extent necessary to add additional work, sites, and time to State contracts or to award emergency contracts, including but not limited to emergency contracts or leases for relocation and support of State operations under Section 3 of the Public Buildings Law; or emergency contracts under Section 9 of the Public Buildings Law; or emergency contracts for professional services under Section 136-a of the State Finance Law; or emergency contracts for commodities, services, and technology under Section 163 of the State Finance Law; or design-build or best value contracts under and Part F of Chapter 60 of the Laws of 2015 and Part RRR of Chapter 59 of the Laws of 2017; or emergency contracts for purchases of commodities, services, and technology through any federal GSA schedules, federal 1122 programs, or other state, regional, local, multi-jurisdictional, or cooperative contract vehicles;

Section 163 of the State Finance Law and Article 4-C of the Economic Development Law, to the extent necessary to allow the purchase of necessary commodities, services, technology, and materials without following the standard notice and procurement processes;

Section 97-G of the State Finance Law, to the extent necessary to purchase food, supplies, services, and equipment or furnish or provide various centralized services, including but not limited to, building design and construction services to assist affected local governments, individuals, and other non-State entities in responding to and recovering from the disaster emergency;

Section 359-a, Section 2879, and 2879-a of the Public Authorities Law to the extent necessary to purchase necessary goods and services without following the standard procurement processes;

Sections 375, 385 and 401 of the Vehicle and Traffic Law to the extent that exemption for vehicles validly registered in other jurisdictions from vehicle registration, equipment and dimension requirements is necessary to assist in preparedness and response to the COVID-19 outbreak;

Sections 6521 and 6902 of the Education Law, to the extent necessary to permit unlicensed individuals, upon completion of training deemed adequate by the Commissioner of Health, to collect throat or nasopharyngeal swab specimens from individuals suspected of being infected by COVID-19, for purposes of testing; and to the extent necessary to permit non-nursing staff, upon completion of training deemed adequate by the Commissioner of Health, to perform tasks, under the supervision of a nurse, otherwise limited to the scope of practice of a licensed or registered nurse;

Subdivision 6 of section 2510 and section 2511 of the Public Health Law, to the extent necessary to waive or revise eligibility criteria, documentation requirements, or premium contributions; modify covered health care services or the scope and level of such services set forth in contracts; increase subsidy payments to approved organizations, including the maximum dollar amount set forth in contracts; or provide extensions for required reports due by approved organizations in accordance with contracts;

Section 224-b and subdivision 4 of section 225 of the Public Health Law, to the extent necessary to permit the Commissioner of Health to promulgate emergency regulations and to extend the State Sanitary Code;

Subdivision 2 of section 2803 of the Public Health Law, to the extent necessary to permit the Commissioner to promulgate emergency regulations concerning the facilities licensed pursuant to Article 28 of the Public Health Law, including but not limited to the operation of general hospitals;

Subdivision 3 of section 273 of the Public Health Law and subdivisions 25 and 25-a of section 364-j of the Social Services Law, to the extent necessary to allow patients to receive prescribed drugs without delay;

Section 400.9 and paragraph 7 of subdivision f of section 405.9 of Title 10 of the NYCRR, to the extent necessary to permit general hospitals and nursing homes licensed pursuant to Article 28 of the Public Health Law ("Article 28 facilities") that are treating patients during the disaster emergency to rapidly discharge, transfer, or receive such patients, as authorized by the Commissioner of Health, provided such facilities take all reasonable measures to protect the health and safety of such patients and residents, including safe transfer and discharge practices, and to comply with the Emergency Medical Treatment and Active Labor Act (42 U.S.C. section 1395dd) and any associated regulations;

Section 400.11 of Title 10 of the NYCRR, to the extent necessary to permit Article 28 facilities receiving patients as a result of the disaster emergency to complete patient review instruments as soon as practicable;

Section 405 of Title 10 of the NYCRR, to the extent necessary to maintain the public health with respect to treatment or containment of individuals with or suspected to have COVID-19;

Subdivision d and u of section 800.3 of Title 10 of the NYCRR, to the extent necessary to permit emergency medical service personnel to provide community paramedicine, transportation to destinations other than hospitals or health care facilities, telemedicine to facilitate treatment of patients in place, and such other services as may be approved by the Commissioner of Health;

Paragraph 3 of subdivision f of section 305.14 of Title 18 of the NYCRR, to the extent necessary to permit nursing supervision visits for personal care services provided to individuals affected by the disaster emergency be made as soon as practicable;

Sections 8602 and 8603 of the Education Law, and section 58-1.5 of Title 10 of the NYCRR, to the extent necessary to permit individuals who meet the federal requirements for high complexity testing to perform testing for the detection of SARS-CoV-2 in specimens collected from individuals suspected of suffering from a COVID-19 infection;

Subdivision 4 of section 6909 of the Public Health Law, subdivision 6 of section 6327 of the Education Law, and section 64.7 of Title 8 of the NYCRR, to the extent necessary to permit physicians and certified nurse practitioners to issue a non-patient specific regimen to nurses or any such other persons authorized by law or by this executive order to collect throat or nasopharyngeal swab specimens from individuals suspected of suffering from a COVID-19 infection, for purposes of testing, or to perform such other tasks as may be necessary to provide care for individuals diagnosed or suspected of suffering from a COVID-19 infection;

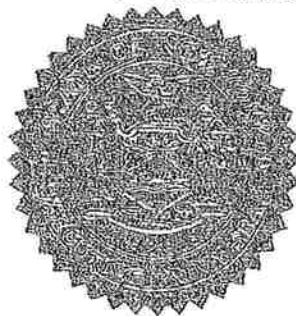
Section 596 of Title 14 of the NYCRR to the extent necessary to allow for rapid approval of the use of the telemental health services, including the requirements for in-person initial assessment prior to the delivery of telemental health services, limitations on who can deliver telemental health services, requirements for who must be present while telemental health services are delivered, and a recipient's right to refuse telemental health services;

Section 409-i of the Education Law, section 163-b of the State Finance Law with associated OGS guidance, and Executive Order No. 2 are suspended to the extent necessary to allow elementary and secondary schools to procure and use cleaning and maintenance products in schools; and sections 103 and 104-b of the General Municipal Law are suspended to the extent necessary to allow schools to do so without the usual advertising for bids and offers and compliance with existing procurement policies and procedures;

Article 7 of the Public Officers Law, section 41 of the General Construction Law, and section 3002 of the Public Health Law, to the extent necessary to permit the Public Health and Health Planning Council and the State Emergency Medical Services Council to meet and take such actions as authorized by law, as may be necessary to respond to the COVID-19 outbreak, without meeting quorum requirements or permitting the public in-person access to meetings, provided that any such meetings must be webcast and means for effective public comment must be made available; and

FURTHER, I hereby temporarily modify, for the period from the date of this Executive Order through April 6, 2020, the following laws:

Section 24 of the Executive Law; Sections 104 and 345 of the Highway Law; Sections 1602, 1630, 1640, 1650, and 1660 of the Vehicle and Traffic Law; Section 14(16) of the Transportation Law; Sections 6-602 and 17-1706 of the Village Law; Section 20(32) of the General City Law; Section 91 of Second Class Cities Law; Section 19-107(ii) of the New York City Administrative Code; and Section 107.1 of Title 21 of the New York Codes, Rules and Regulations, to the extent necessary to provide the Governor with the authority to regulate traffic and the movement of vehicles on roads, highways, and streets.



GIVEN under my hand and the Privy Seal of the
State in the City of Albany this
seventh day of March in the year two
thousand twenty.

BY THE GOVERNOR

Mr. C.
Secretary to the Governor

Adrian



PURCHASE ORDER/SERVICE CONTRACT
County of Nassau
STATE OF NEW YORK
OFFICE OF PURCHASING

The following purchase order or service contract
ID number MUST appear on all packages, invoices,
claims, and correspondence.

Deliver

To:

OFFICE OF EMERGENCY MANAGEMENT
510 GRUMMAN RD. WEST

Purchase Order No.: POEM20000028

P.O. Date 06/APR/2020

BETHPAGE

NY 11714

FOB: DEST

Vendor:

#812966164
ACUTE CARE CASES
23 NUTMEG VALLEY RD

Delivery Date 03/APR/ 20

Buyer: TIM FUNARO

TEL: 516 571 7720

WOLCOTT

CT 06716

ATT: BEN COHEN

TEL: 855 399 1224

FAX:

Item	Description	Quantity	Unit	Unit Price	Amount
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001 465-02

100.00

EA

9,300.0000

930,000.00

ANESTHESIA EQUIPMENT, HOSPITAL

RESMED ASTRAL 150 VENTILATOR 27003-PURCHASE, REFURBISHED

1-YEAR WARRANTY.

UNITS WILL BE PATIENT READY, PREVENTATIVE MAINTENANCE PERFORMED, NEW

BATTERIES, NEW 02 CELLS.

PART NUMBER: RSM-27003- REFUR- P

EMERGENCY PURCHASE ORDER #: MCC20EPO-5

AS PER VENDOR QUOTE #: E2003

DISCOUNT TERMS: 0% NET 30

TERMS:

Contractor shall retain complete and accurate records and documents related to this Agreement for six (6) years following the later of termination or final payment. Such records shall at all times be available for audit and inspection by the County.

Governing Law - Consent to Jurisdiction and Venue; Governing Law.

Unless otherwise specified in this Agreement or required by Law, exclusive original jurisdiction for all claims or actions with respect to this Agreement shall be in the Supreme Court in Nassau County in New York State and the parties expressly waive any objections to the same on any grounds, including venue and forum non conveniens. This Agreement is intended as a contract under, and shall be governed and construed in accordance with, the laws of New York State, without regard to the conflict of laws provisions thereof.

<< CONTINUED, NEXT PAGE >>

EXCISE AND SALES TAXES: THE PRICES HEREIN SHOULD NOT INCLUDE ANY FEDERAL EXCISE TAXES OR SALES TAXES IMPOSED BY ANY STATE OR MUNICIPAL GOVERNMENT. SUCH TAXES, IF INCLUDED, MUST BE DEDUCTED BY THE VENDOR WHEN SUBMITTING CLAIM FOR PAYMENT.		
IMPORTANT: READ CONDITIONS ON BACK HEREOF		
IF YOU CANNOT DELIVER ON DATE SPECIFIED, NOTIFY OFFICE OF PURCHASING AT ONCE.		
WHEN COMPLETE SHIPMENT IS MADE, MAIL YOUR CLAIM VOUCHER OR CERTIFIED INVOICE ITEMIZING ALL CHARGES IN DETAIL TO ADDRESS IN DELIVER TO BOX. SEND ALSO OTHER CORRESPONDENCE FOR ABOVE TO:		DIRECTOR OFFICE OF PURCHASING
OFFICE OF PURCHASING ONE WEST STREET, MINEROLA, NEW YORK 10548		DELIVERY MUST BE MADE WITH IN DOORS OF SPECIFIED DESTINATION



PURCHASE ORDER/SERVICE CONTRACT
County of Nassau
STATE OF NEW YORK
OFFICE OF PURCHASING

The following purchase order or service contract
ID number **MUST** appear on all packages, invoices,
claims, and correspondence.

Deliver To:

OFFICE OF EMERGENCY MANAGEMENT
510 GRUMMAN RD. WEST

Purchase Order No.: POEM200000038
P.O. Date 05/APR/2020

BETHPAGE

NY 11714

FOB: DEST

Vendor:

#812966164
ACUTE CARE CLINICS
23 NUTMEG VALLEY RD

Delivery Date 03/APR/ 20

Buyer: TIM FUNARO
TEL: 516 571 7720

WOLCOTT CT 06716
ATT: BEN COHEN
TEL: 855 399 1224
FAX:

Item	Description	Quantity	Unit	Unit Price	Amount
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Ordinance 153-2018

Pursuant to Ordinance # 153-2018, A bidder that is awarded a contract under this bid is required to pay the County an administrative service charge in accordance with the following schedule:

Value of Contract	Administrative Fee
\$0 - \$10,000	\$0.00
Over \$10,000 - \$50,000	\$160.00
Over \$50,000 - \$100,000	\$266.00
Over \$100,000	\$533.00

After an award, the successful bidder(s) will be notified by the Director of Shared Services, or their designee, when payment of the administrative charge is due. Please note, if you are a religious, charitable, nonprofit, or not-for-profit organization, please include this information in your bid for consideration by the Director of the Shared Services to waive the fee.

Ordinance 72-2014

The bidder declares that they are a registered vendor for the County. All registered vendors must pay a Two Hundred Seventy-Five Dollar (\$275.00) per contract fee to register Blanket contracts on the County's procurement website, as required under Ordinance # 72-2014.

Prohibition of Gifts

In accordance with County Executive Order 2-2018, the contractor shall not offer, give, or agree to give anything of value to any County employee, agent, consultant, construction manager, or other person or firm representing the County (a 'County Representative'), including members of a County Representative's immediate family, in connection

<< CONTINUED, NEXT PAGE >>

EXCISE AND SALES TAXES THE PRICES HEREIN SHOULD NOT INCLUDE ANY FEDERAL EXCISE TAXES OR SALES TAXES IMPOSED BY ANY STATE OR MUNICIPAL GOVERNMENT. IF TAXES ARE INCLUDED, THEY MUST BE DEDUCTED BY THE VENDOR WHEN SUBMITTING CLAIM FOR PAYMENT.		
IMPORTANT: READ CONDITIONS ON BACK HEREOF		
IF YOU CANNOT DELIVER ON DATE SPECIFIED, NOTIFY OFFICE OF PURCHASING AT ONCE.		DIRECTOR OFFICE OF PURCHASING
WHEN COMPLETE SHIPMENTS MADE, MAIL YOUR CLAIM VOUCHER OR CERTIFIED INVOICE, ITEMIZING ALL CHARGES IN DETAIL TO ADDRESS IN DELIVER TO BOX.		
SEND ALL OTHER CORRESPONDENCE FOR ABOVE TO: OFFICE OF PURCHASING ONE WEST STREET, BETHPAGE, NEW YORK 11714		DELIVERY MUST BE MADE WITHIN DOORS OF SPECIFIED DESTINATION.



PURCHASE ORDER / SERVICE CONTRACT
County of Nassau
STATE OF NEW YORK
OFFICE OF PURCHASING

The following purchase order or service contract
ID number **MUST** appear on all packages, invoices,
claims, and correspondence.

Deliver To: OFFICE OF EMERGENCY MANAGEMENT
510 GRUMMAN RD. WEST

Purchase Order No.: POEM20000026
P.O. Date: 06/APR/2020

BETHPAGE NY 11714

FOB: DEST

Vendor: #812966164
ACUTE CARE GASES
23 NUTMEG VALLEY RD

Delivery Date: 03/APR/ 20

Buyer: TIM FUNARO
TEL: 516 571 7720

WOLCOTT CT 06716
ATT: BEN COHEN
TEL: 855 399 1224
FAX:

Item	Description	Quantity	Unit	Unit Price	Amount
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with the performance by such County Representative of duties involving transactions with the Contractor on behalf of the County, whether such duties are related to this Agreement or any other County contract or matter. As used herein, 'anything of value' shall include, but not be limited to, meals, holiday gifts, holiday baskets, gift cards, tickets to golf outings, tickets to sporting events, currency of any kind, or any other gifts, gratuities, favorable opportunities or preferences. For the purpose of this subsection, an immediate family member shall include a spouse, child, parent, or sibling. The contractor shall include the provisions of this subsection in each subcontract entered into under this agreement.

Disclose of Conflicts of Interest

In accordance with County Executive Order 2-2018, the Contractor has disclosed as part of its response to the County's Business History Form, or other disclosure form(s), any and all instances where the Contractor employs any spouse, child, or parent of a County employee of the agency or department that contracted or procured the goods and/or services described under this Agreement. The Contractor shall have a continuing obligation, as circumstances arise, to update this disclosure throughout the term of this Agreement.

AUTHORITY: WRITTEN QUOTATION OF 03/22/20 FROM ACUTE CARE GASES AND
EMERGENCY PURCHASE AUTHORIZATION (NYS EXECUTIVE ORDER)

DOCUMENT TOTAL: 930,000.00

EXCISE AND SALES TAX: NET PRICES HEREIN SHOULD NOT INCLUDE ANY FEDERAL EXCISE TAXES OR SALES TAXES IMPOSED BY ANY STATE OR MUNICIPAL GOVERNMENT. SUCH TAXES, IF INCLUDED, MUST BE DEDUCTIBLE BY THE VENDOR WHEN SUBMITTING CLAIM FOR PAYMENT.		
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OFFICE OF PURCHASING ONE WEST STREET, MINEROLA, NEW YORK 10848		
		DIRECTOR OFFICE OF PURCHASING DELIVERY MUST BE MADE WITHIN DAYS OF SPECIFIED DATE OF INVOICING



COUNTY OF NASSAU
Laura Curran, County Executive
Theodore Roosevelt Executive and Legislative Office Building
1550 Franklin Avenue
Mineola, NY 11501

EMERGENCY PURCHASE AUTHORIZATION

WHEREAS, the Commissioner of Shared Services, Department of Shared Services for the County of Nassau, New York has recommended that the recent public health Coronavirus outbreak has necessitated an immediate purchase in the open market of the necessary materials, supplies, equipment and services to address this public health emergency, there being insufficient time for and a need to dispense with the requirements for public notice and taking of bids.

NOW THEREFORE, I, Laura Curran, County Executive of the County of Nassau, do hereby authorize the Commissioner of the Shared Services, Department of Shared Services for the County of Nassau, New York, or her designee, pursuant to Section 702(d) of the Nassau County Charter, to immediately purchase from the open market the necessary materials, supplies, equipment and services to address this public health emergency.

Dated as of: February 7, 2020

A handwritten signature in dark ink, appearing to read "Laura Curran", is written over a horizontal line.

LAURA CURRAN, COUNTY EXECUTIVE



No. 202

EXECUTIVE ORDER

Declaring a Disaster Emergency in the State of New York

WHEREAS, on January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern;

WHEREAS, on January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19;

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and more are expected to continue; and

WHEREAS, New York State is addressing the threat that COVID-19 poses to the health and welfare of its residents and visitors.

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, hereby find, pursuant to Section 28 of Article 2-B of the Executive Law, that a disaster is impending in New York State, for which the affected local governments are unable to respond adequately, and I do hereby declare a State disaster emergency for the entire State of New York. This Executive Order shall be in effect until September 7, 2020; end

IN ADDITION, this declaration satisfies the requirements of 49 C.F.R. 390.23(e)(1)(A), which provides relief from Parts 390 through 399 of the Federal Motor Carrier Safety Regulations (FMCSR). Such relief from the FMCSR is necessary to ensure that crews are available as needed.

FURTHER, pursuant to Section 29 of Article 2-B of the Executive Law, I direct the implementation of the State Comprehensive Emergency Management Plan and authorize all necessary State agencies to take appropriate action to assist local governments and individuals in containing, preparing for, responding to and recovering from this state disaster emergency, to protect state and local property, and to provide such other assistance as is necessary to protect public health, welfare, and safety.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 6, 2020 the following:

Section 112 of the State Finance Law, to the extent consistent with Article V, Section 1 of the State Constitution, and to the extent necessary to add additional work, sites, and time to State contracts or to award emergency contracts, including but not limited to emergency contracts or leases for relocation and support of State operations under Section 3 of the Public Buildings Law; or emergency contracts under Section 9 of the Public Buildings Law; or emergency contracts for professional services under Section 136-a of the State Finance Law; or emergency contracts for commodities, services, and technology under Section 163 of the State Finance Law; or design-build or best value contracts under and Part F of Chapter 60 of the Laws of 2015 and Part RRR of Chapter 59 of the Laws of 2017; or emergency contracts for purchases of commodities, services, and technology through any federal GSA schedules, federal 1122 programs, or other state, regional, local, multi-jurisdictional, or cooperative contract vehicles;

Section 163 of the State Finance Law and Article 4-C of the Economic Development Law, to the extent necessary to allow the purchase of necessary commodities, services, technology, and materials without following the standard notice and procurement processes;

Section 97-G of the State Finance Law, to the extent necessary to purchase food, supplies, services, and equipment or furnish or provide various centralized services, including but not limited to, building design and construction services to assist affected local governments, individuals, and other non-State entities in responding to and recovering from the disaster emergency;

Section 359-a, Section 2879, and 2879-a of the Public Authorities Law to the extent necessary to purchase necessary goods and services without following the standard procurement processes;

Sections 375, 385 and 401 of the Vehicle and Traffic Law to the extent that exemption for vehicles validly registered in other jurisdictions from vehicle registration, equipment and dimension requirements is necessary to assist in preparedness and response to the COVID-19 outbreak;

Sections 6521 and 6902 of the Education Law, to the extent necessary to permit unlicensed individuals, upon completion of training deemed adequate by the Commissioner of Health, to collect throat or nasopharyngeal swab specimens from individuals suspected of being infected by COVID-19, for purposes of testing; and to the extent necessary to permit non-nursing staff, upon completion of training deemed adequate by the Commissioner of Health, to perform tasks, under the supervision of a nurse, otherwise limited to the scope of practice of a licensed or registered nurse;

Subdivision 6 of section 2510 and section 2511 of the Public Health Law, to the extent necessary to waive or revise eligibility criteria, documentation requirements, or premium contributions; modify covered health care services or the scope and level of such services set forth in contracts; increase subsidy payments to approved organizations, including the maximum dollar amount set forth in contracts; or provide extensions for required reports due by approved organizations in accordance with contracts;

Section 224-b and subdivision 4 of section 225 of the Public Health Law, to the extent necessary to permit the Commissioner of Health to promulgate emergency regulations and to amend the State Sanitary Code;

Subdivision 2 of section 2803 of the Public Health Law, to the extent necessary to permit the Commissioner to promulgate emergency regulations concerning the facilities licensed pursuant to Article 28 of the Public Health Law, including but not limited to the operation of general hospitals;

Subdivision 3 of section 273 of the Public Health Law and subdivisions 25 and 25-a of section 364-j of the Social Services Law, to the extent necessary to allow patients to receive prescribed drugs without delay;

Section 400.9 and paragraph 7 of subdivision f of section 405.9 of Title 10 of the NYCRR, to the extent necessary to permit general hospitals and nursing homes licensed pursuant to Article 28 of the Public Health Law ("Article 28 facilities") that are treating patients during the disaster emergency to rapidly discharge, transfer, or receive such patients, as authorized by the Commissioner of Health, provided such facilities take all reasonable measures to protect the health and safety of such patients and residents, including safe transfer and discharge practices, and to comply with the Emergency Medical Treatment and Active Labor Act (42 U.S.C. section 1395dd) and any associated regulations;

Section 400.11 of Title 10 of the NYCRR, to the extent necessary to permit Article 28 facilities receiving patients as a result of the disaster emergency to complete patient review instruments as soon as practicable;

Section 405 of Title 10 of the NYCRR, to the extent necessary to maintain the public health with respect to treatment or containment of individuals with or suspected to have COVID-19;

Subdivision d and u of section 800.3 of Title 10 of the NYCRR, to the extent necessary to permit emergency medical service personnel to provide community paramedicine, transportation to destinations other than hospitals or health care facilities, telemedicine to facilitate treatment of patients in place, and such other services as may be approved by the Commissioner of Health;

Paragraph 3 of subdivision f of section 505.14 of Title 18 of the NYCRR, to the extent necessary to permit nursing supervision visits for personal care services provided to individuals affected by the disaster emergency be made as soon as practicable;

Sections 8602 and 8603 of the Education Law, and section 58-1.5 of Title 10 of the NYCRR, to the extent necessary to permit individuals who meet the federal requirements for high complexity testing to perform testing for the detection of SARS-CoV-2 in specimens collected from individuals suspected of suffering from a COVID-19 infection;

Subdivision 4 of section 6909 of the Public Health Law, subdivision 6 of section 6527 of the Education Law, and section 64.7 of Title 8 of the NYCRR, to the extent necessary to permit physicians and certified nurse practitioners to issue a non-patient specific regimen to nurses or any such other persons authorized by law or by this executive order to collect throat or nasopharyngeal swab specimens from individuals suspected of suffering from a COVID-19 infection, for purposes of testing, or to perform such other tasks as may be necessary to provide care for individuals diagnosed or suspected of suffering from a COVID-19 infection;

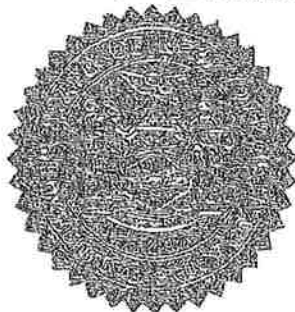
Section 596 of Title 14 of the NYCRR to the extent necessary to allow for rapid approval of the use of the telemental health services, including the requirements for in-person initial assessment prior to the delivery of telemental health services, limitations on who can deliver telemental health services, requirements for who must be present while telemental health services are delivered, and a recipient's right to refuse telemental health services;

Section 409-i of the Education Law, section 163-b of the State Finance Law with associated OGS guidance, and Executive Order No. 2 are suspended to the extent necessary to allow elementary and secondary schools to procure and use cleaning and maintenance products in schools; and sections 103 and 104-b of the General Municipal Law are suspended to the extent necessary to allow schools to do so without the usual advertising for bids and offers and compliance with existing procurement policies and procedures;

Article 7 of the Public Officers Law, section 41 of the General Construction Law, and section 3002 of the Public Health Law, to the extent necessary to permit the Public Health and Health Planning Council and the State Emergency Medical Services Council to meet and take such actions as authorized by law, as may be necessary to respond to the COVID-19 outbreak, without meeting quorum requirements or permitting the public in-person access to meetings, provided that any such meetings must be webcast and means for effective public comment must be made available; and


FURTHER, I hereby temporarily modify, for the period from the date of this Executive Order through April 6, 2020, the following laws:

Section 24 of the Executive Law; Sections 104 and 346 of the Highway Law; Sections 1602, 1630, 1640, 1650, and 1660 of the Vehicle and Traffic Law; Section 14(16) of the Transportation Law; Sections 6-602 and 17-1706 of the Village Law; Section 20(32) of the General City Law; Section 91 of Second Class Cities Law; Section 19-107(ii) of the New York City Administrative Code; and Section 107.1 of Title 21 of the New York Codes, Rules and Regulations, to the extent necessary to provide the Governor with the authority to regulate traffic and the movement of vehicles on roads, highways, and streets.



GIVEN under my hand and the Privy Seal of the
State in the City of Albany this
seventh day of March in the year two
thousand twenty.

BY THE GOVERNOR


Secretary to the Governor

LAURA CURRAN
NASSAU COUNTY EXECUTIVE



MELISSA GALLUCCI
COMMISSIONER OF SHARED SERVICES

DEPARTMENT OF SHARED SERVICES

March 23, 2020

Acute Care Gases II LLC
23 Nutmeg Valley Road
Wolcott, CT 08716

To whom it may concern,

Pursuant to Section 702(d) of the Nassau County Charter, the Nassau County Department of Shared Services hereby issues this Emergency Purchase Order for the goods and services indicated below and attached:

Purchase Order #: **NCC20EPO-5**

Blanket Order #: **TBD**

Vendor: **Acute Care Gases II LLC**

Vendor EIN: **81-2966164**

Vendor Quote: **E3003 dated 3/22/2020**

Purchase Order Amount: **\$930,000.00**

Description: **Refurbished Ventilators, 1-year warranty**

The vendor is authorized by this emergency purchase order to deliver to the County the goods and/or services in the attached quote and specifications. This emergency purchase order is governed by the attached terms and conditions. Payment is conditioned on vendor's compliance with the County's bill paying procedures.

Authorized by:

Melissa Gallucci
Melissa Gallucci
Commissioner

CC: Office of the Nassau Comptroller
Office of Emergency Management

ONE WEST STREET - MINEOLA, NEW YORK 11601-4895
Telephone: 516-571-3072
Fax: 516-571-4384

CONDITIONS GOVERNING THIS ORDER

1. THE COUNTY OF NASSAU IS NOT RESPONSIBLE FOR MATERIALS, SUPPLIES OR EQUIPMENT DELIVERED OR SERVICES RENDERED WITHOUT AUTHORITY OF ITS WRITTEN ORDER.
2. Do not overship or substitute. Ship exactly as ordered. Include itemized packing slips with all shipments or deliveries which designate the name of DEPARTMENT for which is intended. Use separate claim form for each order. Claim must be itemized in detail pursuant to Section 24 of the County law so that anyone reading same may readily understand the kind, quantity, quality and prices. CASH DISCOUNT TERMS must be indicated on claim form where applicable.
3. All material shipped by freight, express or parcel MUST HAVE ALL CHARGES FULLY PREPAID TO POINT OF DELIVERY, unless otherwise arranged for and expressly stated in this order. Curb-Door deliveries are not acceptable.
4. Invoices must be rendered with claim form, on date of complete shipment of all materials on this order. Separate billing for partial shipments not allowed unless otherwise arranged for and expressly stated on this order.
5. All materials, supplies and equipment received as well as services rendered are subject to inspection and acceptance by County of Nassau. All materials, supplies and equipment received must be new unless otherwise specified on the order.
6. If unable to fill this order exactly in accordance with description, unit, price thereon, communicate at once with Office of Purchasing. The County reserves the right to reject and return at the shipper's expense any and all materials or supplies delivered which do not conform to description or specification on the order.
7. If there is any part of this order you can not fill promptly or perform within the time specified, notify the Office of Purchasing at once. In case of unreasonable delay in delivery, or delivery of goods inferior to those specified or in case of any other default of the vendor, the Director, Office of Purchasing shall have the right at his option to cancel this order in whole or in part, and the County may procure the goods or services from other sources and hold the vendor responsible for any EXCESS COST, EXPENSE AND DAMAGES occasioned thereby.
8. The vendor by executing this order agrees to assume the defense of and hold County of Nassau, its agents and employees, harmless from all suits, costs, expenses, claims and damages arising from use of the described materials or as a result of the services rendered, including, without limitation, any claims and damages arising because of actual or alleged infringements of any copyrights, patents, or patent rights of any invention of any other cause.
9. The vendor represents and warrants that the prices charged herein are not higher than those charged to any other purchaser for like quantities.
10. The workmanship, quantities or qualities of goods or services which are to be paid hereunder shall be to the satisfaction of the Office of Purchasing and before final acceptance, all matters of dispute must be adjusted to the mutual satisfaction of the Office of Purchasing and the vendor. Determination and decisions, in case any question shall arise shall constitute a condition precedent to the right of the vendor to receive any money thereof, until the matter in question is settled.
11. This order may not be assigned, transferred or in any way disposed by the vendor without first having obtained written approval thereof from the County of Nassau.
12. The vendor warrants that he is not in arrears to the County of Nassau upon any debt or contract, and that he has not been in default and is not in default as surety, contractor or otherwise.
13. Upon the vendor's acceptance hereof, the vendor agrees to comply with Article IX, Section 2 C of the Constitution of the State of New York, Section 220, 220a, 220b, 220d, 220e and 230 of the Labor Law, Section 5 and 12 of the Lien Law, Article 2 of the Uniform Commercial Code, Section 108 and 109 as well as Article 18 of the General Municipal Law, Section 2218 of the County Government Law of Nassau County, Section 22-4.2 of the Nassau County Administrative Code, the provisions of the Anti-Discrimination Order of Nassau County, and the vendor shall keep himself fully informed of all additional municipal ordinances and regulations, State and National Laws in any manner affecting this order and the goods or services delivered or rendered or to be delivered or rendered thereunder, and shall at all times observed and comply with said ordinances, laws and regulations at his sole cost and expenses.
14. The pre-printed language of this purchase order/service contract/blanket order/delivery order has been approved as to form by the Office of the County Attorney.



23 Nutmeg Valley Rd.
Wolcott, CT 06716

Phone # 855-399-1224

Fax # 855-399-2224

Quote

Invoice#

Date

B3003

3/22/2020

Bill To

Nassau County Office of Emergency Mngmnt
510 Grumman Rd. West
Bethpage, NY 11714

Ship To

Nassau County Office of Emergency Mngmnt
510 Grumman Rd. West
Bethpage, NY 11714

Clearance

Cost Factor

Sales Rep

Terms

Due Date

Due on receipt

3/22/2020

Part Number

QTY

Description

Unit

Rate

Price

Amount

RSM-27003- Refurb- P

100

ResMed Astral 150 Ventilator 27003-PURCHASE,
Refurbished
1-year warranty.
All repairs due to abuse, which includes liquid
damage, mechanical damage, insect or rodent
infestation, fire or smoke damage are specifically
excluded from this contracted maintenance coverage.
Such repair is specifically excluded from this
agreement.
Units will be patient ready, preventative maintenance
performed, new batteries, new O2 cells

100

0

9,300.00

930,000.00

Subtotal

\$930,000.00

Sales Tax @ 6.25%

\$0.00

Total

\$930,000.00

THE BUYER AGREES TO ACCEPT THE ABOVE PRODUCT(S) SUBJECT TO ALL CONDITIONS AS SET FORTH ON THIS SHIPPER

CAUTION: TRANSPORTING GAS CYLINDERS IN CARS, VANS OR OTHER CLOSED MOTOR VEHICLES IS DANGEROUS AND SHOULD BE AVOIDED. GAS CYLINDERS MUST NEVER BE MOVED IN CLOSED SPACES, INCLUDING BUT NOT LIMITED TO CAR TRUNKS, DUE TO THE HIGH RISK OF EXPLOSION OR FIRE

CAUTION: LET NO OIL, GREASE OR OIL BASED LUBRICANT OF ANY NATURE COME IN CONTACT WITH ANY PART OF THE OXYGEN CYLINDER, REGULATOR OR FITTINGS, AS THIS IS CONSIDERED DANGEROUS. ACETYLENE, PROPANE AND HYDROGEN ARE FLAMMABLE AND EXPLOSIVE GASES AND CONSIDERED DANGEROUS.

Bld Title:

Comparison OF Bids

Bld #

Recommended Vendor Acute Care Gases

Requisition # RQEM20000018

% and \$ amount difference plus or minus over

Pre-Encumbrance: \$930,000.00

Pre-Encumbrance 0.0000% \$0.00

Buyer

Timothy Funaro

Purchase Order #

POEM20000028

Vendors

line	qty	Acute Care Gases		Vendor # 2		Vendor # 3		Vendor # 4		Vendor # 5		low bid
		unit price	extended	unit price	extended	unit price	extended	unit price	extended	unit price	extended	
1	100	9300.00	930000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	930000.00
2	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
13	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
14	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
15	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
16	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
17	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
18	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
19	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
20	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
21	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
22	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
23	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
24	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
25	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
26	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
27	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
28	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
29	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
30	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
31	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
32	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
33	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
34	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
35	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
36	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
sum	0		930000.00		0.00		0.00		0.00		0.00	0.00
shl	1	0.00	930000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Delivery	2 Weeks											
Terms	Net 30											
F.O.B.	Dest.											
Vin												
Tel No.	855-399-1224											
Verbal	Ben											
Date	03/22/2020 e-mail											

Notes

Written quote from Acure Care Gases and Emergency Purchase Authorization (NYS Executive Order)

Fisher Scientific, GE Picking, Savoy Medical Scientific Products, Henry Schein, Cardinal Health doesn't supply. Sistemma, Help Medical Supplies out of stock.

* key 0=No Bid

LAURA CURRAN
NASSAU COUNTY EXECUTIVE



VAUGHN BANKS
DEPUTY COMMISSIONER OF SHARED
SERVICES OFFICE OF PURCHASING

OFFICE OF PURCHASING

As a result of the ongoing emergency an emergency direct purchase was established with Acute Care Gases II LLC in the amount of \$930,000.00. The Office of Purchasing finds the procurement to be reasonable based on availability and delivery assurances from the vendor.

CC: Melissa Gallucci/Allison Malhame


ONE WEST STREET - MINEOLA, NEW YORK 11501-4895
Telephone: 516-571-4200
Fax: 516-571-4263

LAURA CURRAN
NASSAU COUNTY EXECUTIVE



VAUGHN BANKS
DEPUTY COMMISSIONER OF SHARED
SERVICES OFFICE OF PURCHASING

OFFICE OF PURCHASING

Date: March 24, 2020
To: Robert Cleary, Chief Procurement Officer
From: Vaughn Banks, Deputy Commissioner 

Emergency Procurement: Price Analysis

On March 23, 2020 a request was made for the emergency procurement of items needed to help Nassau County, and Nassau University Medical Center respond to the COVID-19, 2020 Coronavirus outbreak. To this, the Office of Emergency Management requested the emergency purchase of one hundred (100) portable ventilators. The ventilators are in short supply and an emergency purchase order was produced.

Nassau County Office of Purchasing received one (1) quote supplied by OEM for ventilators.

- Acute Care Gases II LLC \$9,300.00 (refurbished ventilator) x 100 units totaling \$930,000.00

On March 25, 2020 the Office of Purchasing reached out to the following vendors for ventilator availability:

- | | |
|-------------------------------------|---|
| • Fisher Scientific | Doesn't supply product |
| • GE Pickering | Doesn't supply product |
| • Savoy Medical Scientific Products | Doesn't supply product |
| • Henry Schein | Doesn't supply product |
| • Cardinal Health | Doesn't supply product |
| • Sitemma | Out of Stock |
| • Help Medical Supplies | Out of Stock |
| • Beemus on Line | 16 Possibly available next week 3/30/20 |
- Refurbished, Resmed Astral 150 Invasive Ventilators
At a cost ranging from \$6,000-\$7,000 each
Advance payment (partial) in advance. Was told to
Reach out to vendor next week. All cc'd on e-mail.

ONE WEST STREET - MINEOLA, NEW YORK 11501-4895
Telephone: 516-571-4200
Fax: 516-571-4263

LAURA CURRAN
NASSAU COUNTY EXECUTIVE



MELISSA GALLUCCI
COMMISSIONER OF SHARED SERVICES

DEPARTMENT OF SHARED SERVICES

April 9, 2020

VIA ELECTRONIC TRANSMISSION

Acute Care Gases II LLC
23 Nutmeg Valley Road
Wolcott, CT 06716

To whom it may concern,

Reference is made to that certain purchase order # NCC20EPO-5, dated March 23, 2020 (the "Emergency Purchase Order"), updated April 6, 2020 as purchase order # POEM20000028, whereby the Commissioner of Shared Services ordered, on an emergency basis pursuant to Section 702(d) of the Nassau County Charter, one hundred (100) refurbished Astral ventilators ("Ventilators") at a per unit cost of \$9,300 for a total cost of \$930,000. This is to notify you of a change in the Emergency Purchase Order. Due to the fact that the office of NY Responds (NYS Division of Homeland Security & Emergency Services (DHSES)) provided Nassau County with eighty seven (87) Ventilators on the evening of April 6, 2020, the Emergency Purchase Order is hereby modified so that the Emergency Purchase Order shall now be for a total of twenty (20) Ventilators at \$9,300 per unit, for a total cost of \$186,000, with the balance of the original order of Ventilators cancelled because the need of one hundred (100) Ventilators has been satisfied.

Please countersign below to acknowledge your acceptance of the modification of the terms of the Emergency Purchase Order.

Authorized by: _____

Melissa Gallucci
Melissa Gallucci
Commissioner

Authorized by: _____

CC: Office of the Nassau Comptroller
Office of Emergency Management

ONE WEST STREET - MINEOLA, NEW YORK 11501-4895
Telephone: 516-571-3072
Fax: 516-571-4384



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/27/2020

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 Cornell Insurance Services Raritan Plaza III 105 Fieldcrest Ave, Suite #104 Edison NJ 08837		CONTACT NAME: Carla Carter PHONE (A/C, No, Ext): (732) 902-2420 FAX (A/C, No): (732) 902-2424 E-MAIL ADDRESS: ccarter@cornellins.com	
INSURED Acute Care Gases II LLC; Acute Care Gases of NY LLC Acute Care Gases Inc. 100 Challenger Road, Suite 105 Ridgefield Park NJ 07660		INSURER(S) AFFORDING COVERAGE INSURER A: VGM Insurance Services INSURER B: Ohio Security Insurance Company INSURER C: Hartford Insurance Company of the Midwest INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 19-20 CERT

REVISION NUMBER:

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			VGM D1018 G6123-1	08/11/2019	08/11/2020	EACH OCCURRENCE \$ 1,000,000
			DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000				
			MED EXP (Any one person) \$ 5,000				
			PERSONAL & ADV INJURY \$ 1,000,000				
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						GENERAL AGGREGATE \$ 3,000,000
							PRODUCTS - COMP/CP AGG \$ 1,000,000
							Professional Liability - \$ 3,000,000
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY			BAS60220471	08/11/2019	08/11/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
			BODILY INJURY (Per person) \$				
			BODILY INJURY (Per accident) \$				
			PROPERTY DAMAGE (Per accident) \$				
							Hired and non owned \$ Included
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB			VGM UM1018 6124-1	08/11/2019	08/11/2020	EACH OCCURRENCE \$ 1,000,000
			AGGREGATE \$ 1,000,000				
C	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 <input checked="" type="checkbox"/> Y	N/A	13WBCCE8944	07/13/2019	07/13/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER
			E.L. EACH ACCIDENT \$ 500,000				
			E.L. DISEASE - EA EMPLOYEE \$ 500,000				
			E.L. DISEASE - POLICY LIMIT \$ 500,000				

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

The Certificate Holder is named as an Additional Insured for General Liability where required by written contract.

CERTIFICATE HOLDER

CANCELLATION

Nassau County One West Street 1st floor North Entrance Mineola NY 11501	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
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