

IN THIS ISSUE...

- 1 President's Message
- 1 May Meeting
- 4 Editor's Notes
- 4 Welcome New Member
- 6 Casino Night Photos
- 7 ACCA Adds To NATE Essential Series
- 7 ACCA Night Out With The Mets
- 8 Pearl - Hiring Veterans or Reservists
- 9 Ottaviano - A Heat Pump for Low Ambient Temps
- 10 Enterprise - Fuel Saving Drives Fleets
- 12 Zisholtz - Irregular Bid & Bid Protest

Air Conditioning Contractors of America

Greater New York
Chapter
123 South Street,
Suite 112
Oyster Bay, NY
11771

**RETURN
SERVICE
REQUESTED**

Greater New York Contractors' NEWS



www.accany.org PLEASE ROUTE THIS PUBLICATION WITHIN YOUR ORGANIZATION

MAY 2012

President's Message

APRIL
WAS
A FUN
AN EXCITING
MONTH FOR
ACCA.



Michael Newman

This month ACCA held our annual Casino Night at the Westbury Manor. Members and guests enjoyed a fun night of gambling, amazing company, live entertainment and delicious food. I would like to thank Jim Carlson and all our sponsors for putting together such an amazing event which was well attended!! Maybe next year I will win the iPad.

Please mark on your calendar the May meeting. The program will be about the refrigerant R-22 and how our industry is dealing with the new issues
Turn to President's Message on page 3

MAY 10th MEETING



Presented by Ron Vogl
of Honeywell
North American
Aftermarket Refrigerants

At Last - The Full R-22 Story

- Commercial – Regulatory Update
- Refrigerant requirements, new installation and retrofit
- Sifting through the candidates
- Taking a closer look at manufacturers data
- Using thermodynamics to screen refrigerants
- Software tutorial
- Exploring the refrigerant/oil relationship
- Retrofit considerations
- Emerging environmental considerations
- Introduction to the next generation of fluorinated refrigerants
- Conclusions
- Q & A

LaGuardia Marriott

Cocktails at 5:30 pm; Dinner at 6:30 pm

Register Online at www.accany.org

ACCA, a federation of 60 state and local affiliated organizations, is the leading trade association representing the business, educational, and policy interests of the nation's heating, air conditioning, ventilation and refrigeration contractors. ACCA represents over 9,000 small businesses nationwide through its federation of affiliates.

Amerisc Corp.

Atlynx
Surety Brokers, LLC

Amerisc Benefits Corp.

SPECIALIZING IN
INSURANCE PROGRAMS
FOR THE HEATING, VENTILATION AND
AIR CONDITIONING INDUSTRY FOR OVER 20 YEARS!

Commercial Insurance - Health & Life
Bonds - Personal Insurance

CONTACT FRANK ABBATIELLO
Tel: 516-745-7500
Fax: 516-745-7565
e-mail: fabbatiello@theamerisc.com
www.theamerisc.com



"Large enough to deliver, small enough to care."



PARTS ♦ SUPPLIES ♦ EQUIPMENT
WE'VE GOT IT ALL

Tremendous Inventory ♦ Superior Customer Service ♦ Competitive Pricing
Fast Daily Delivery ♦ National Buying Power ♦ Shop 24 Hours Online
Knowledgeable Counter Staff ♦ Six Convenient Locations ♦ Great Value

WE HAVE ALL THE PARTS & PIECES TO HELP YOU GET THE JOB DONE!



BROOKLYN 1600 CONEY ISLAND AVENUE, BROOKLYN, NY 11230 P:718-252-2700 F:718-692-4546
BALDWIN 1593 GRAND AVENUE, BALDWIN, NY 11510 P:516-223-5511 F:516-867-2307
BOHEMIA 540 JOHNSON AVENUE, BOHEMIA, NY 11716 P:631-567-4800 F:631-567-6005
FARMINGDALE 135 SCHMITT BLVD, FARMINGDALE, NY 11735 P:631-293-2566 F:631-293-3545
RED HOOK 75A HUNTINGTON STREET, BROOKLYN, NY P:718-522-4700 F:718-522-4770
NEW HYDE PARK 11A DENTON AVENUE SOUTH, NEW HYDE PARK, NY 11040 P:516-216-1810 F:516-216-1810

www.johnstoneli.com

Johnstone Supply - A Division of B&F Electric Motors, Inc.

PRESIDENT'S MESSAGE *Continued from page 1*

that R-22 is presenting to our companies. Please come!! This is one event that you do not want to miss. The information that will be shared is critical to our industry.

This year we will be focusing on increasing the membership within our organization and seeking out greater participation from our contractors, suppliers and associate members. If anybody has an idea or issue relating to our business and industry, please get in touch with us and we will make it happen. How can ACCA help you this year? Are there any issues or topics you want to hear about this year?

Please use ACCA as a networking experience and a place where you can bring the hottest and most relevant business topics back to your day to day operations.

Thank you for your support and I look forward to seeing you at the next meeting. — *Mike Newman*



**The ACCA 34th Annual
Golf Outing will be held
Thursday, August 6th at
The Hamlet Golf & Country Club
in Commack, NY**

Book Early—Reserve online at www.accany.org

JOHN F. DELILLO

Certified Public Accountant

**ACCOUNTING
TAX & BOOKKEEPING SERVICES
BUSINESS VALUATIONS**

*SPECIALIZING IN THE
HVAC INDUSTRY*

**CERTIFIED
QUICKBOOKS PROADVISOR**

**123 South Street, SUITE 112
Oyster Bay, NY 11771**

Tel: (516) 922-2102 • Fax: (516) 922-1414

www.johndelillocpa.com

Email: john@johndelillocpa.com

ACCA Greater NY Chapter

Officers

President

Mike Newman, *Standard Refrigerator* - 718-937-0490

President-Elect

Al Trudil, *Almore Corporation* - 631-345-6050

Treasurer

Marc Soffler, *Dynaire Corp* - 516-248-9320

Secretary

Brian Aull, *Atlantic Contracting & Specialties Corp.* - 631-563-6510

Past-President

Anthony N. Carbone, *Systematic Control* - 516-482-1374

Executive Director

John F. DeLillo, 516-922-5832

Directors

Steve Bergman, *Twinco Supply Corporation* - 631-547-1100

Roy Bernheimer, *Cascade Water Services* - 516-932-3030

James Carlson, *Michael James Industries (MJI)* - 631-231-3434

Ken Ellert, *Comfort Tech Mechanical* - 718-932-2444

Ron Nathan, *County Fair A/C Corp.* - 516-997-5656

John Ottaviano, *Air Ideal* - 516-873-3100

Greg Singer, *Martack Corporation* - 516-998-1000

Richard Staiano, *National Compressor Exchange* - 718-417-9100

Joe Stranieri, *Industrial Controls Distributors* - 212-947-3100

Harvey Stoller, *Airdex* - 718-646-7200

Advisory Council

Robert Berger (retired)

Mark Bedson, *Brinco Mechanical Services* - 516-378-2277

Thomas Cleary (retired)

Anthony Cutaia, *Air Ideal* - 516-873-3100

John J. Fanneron, *BP Air Conditioning Corp.* - 718-383-2100

Michael Gelber, *Stan Gelber & Sons* - 516-538-0040

Gene Klochkoff, *Cascade Water Services* - 516-932-3030

Lauren Larsen, *Power Cooling* - 718-784-1300

Michael O'Rourke, *BCC Best Climate Control* - 631-218-8022

Brandon Stone, *All Weather Temperature Control* - 631-842-8777

James Stone, *All Weather Temperature Control* - 631-842-8777

Brian Svedberg, *BCC Best Climate Control* - 516-981-1008

Committees

Advertising/Newsletter

Anthony Carbone

Donald Gumbrecht & Co.

Baseball Outing

Scott Berger

Nick Terran

Casino Night

Jim Carlson

Golf Outing

Ken Ellert

Holiday Party

Anthony Carbone

Membership

Ron Nathan

Political Action

Anthony Carbone

Scholarship

John Ottaviano

Trade Show

Rich Staiano

Steve Bergman

Web Page

Roy Bernheimer

Greater New York Contractors' News is printed monthly by the Greater New York Chapter of ACCA. Questions should be directed to the appropriate director or committee member for assistance. While this newsletter is designed to provide accurate and authoritative information on the subjects covered, the Association is not engaged in rendering legal, accounting, or other professional or

technical advice. Accordingly, the Association cannot warrant the accuracy of the information contained in this newsletter and disclaims any and all liability which may result from publication of or reliance on the information provided herein. If legal advice or other expert assistance or advice is required, the services of a competent, professional person should be sought.

Editor's Notes

by **Anthony N. Carbone**

Spring is in the air early this year with the warm temperatures and evident early blooming flowers. This is a great jump start for the HVAC contractors who are geared up and ready to go. We, at the ACCA New York Chapter, kicked off Spring with a great event. The Annual Casino Night at Westbury Manor was well attended and the prizes kept the attendees gambling to try and win more tickets. Jim Carlson, chairman of this committee once again did a great job getting sponsors and hiring M & M Entertainment to supply the gaming units. The magician added to the fun but did not make any of our competitors disappear!!!

May's meeting will be about the status and disposition

of the R-22 refrigerant and how it will impact this seasons retrofit installation, repairs and service.

This hot topic will effect every contractor from availability of R-22, pricing and the way we will sell in the marketplace. Our monthly meetings have been so well attended due to the current topical programs. Be sure to RSVP on our website ACCANY.org. for assured seating.

June's cocktail network party will be announced shortly with its location.

This organization has seen significant strides under the leadership of Mike Newman. His fresh ideas and planning regarding our programs has brought many new members and a renewed interest from previous members.

The dynamics of our HVAC business is constantly changing and technology from the Internet is invading every aspect of managing our businesses. Cutting edge information is available only if you are savvy enough to know where to network to get it.....Hint - ACCA NY. — *Anthony N. Carbone*

WELCOME NEW MEMBER

**Tri Value Air
Conditioning & Heating Corp.**

Victor Tonndorf

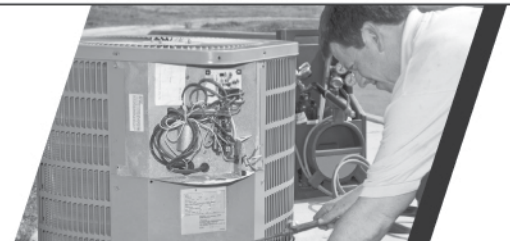
610 Requa Street

Peekskill, NY 10566

phone: 914-737-1337

Check the ACCA national website, www.acca.org, regularly for up-to-date information on our industry.

 **conEdison**
GREEN TEAM



Expand Your Residential Business Through Energy Efficiency



- ✓ Offer customers valuable rebates of **up to \$1,000** on the purchase of qualified equipment and services.
- ✓ Receive **cash incentives** for completing Quality Installations*.
- ✓ Access sales training and marketing materials.

Qualifying equipment can be installed by a licensed contractor who meets all New York State and local municipality requirements.

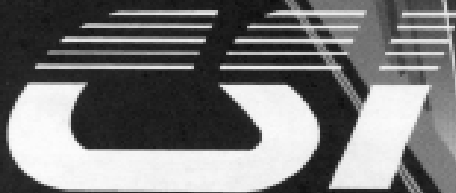
* Contractors may be eligible for an incentive of \$200 if they are BPI-certified as a Central Air Conditioner and Heat Pump Specialist and provide documentation that an ACCA Manual J load calculation worksheet has been completed to determine the proper size of installed equipment.

Call **1-800-430-9505** or visit **conEd.com/HVACrebates** to request additional information.

The Contractors Choice!

CSI, is a complete full service company offering a large array of HVAC water treatment and air-conditioning services and supplies that many major HVAC Contractors utilize in the tri-state area.

- Water treatment chemicals and chemical feed equipment for cooling towers, closed systems, boilers and glycol systems.
- Air conditioning cleanings on an emergency or preventative basis including coils air/water cooled condensers, HVAC duct cleaning (including video taping of the ductwork conditions).
- Pre-cleaning of new piping systems.
- Cooling tower rebuilding and rehabilitation.
- Comprehensive indoor air quality evaluations and testing of drinking water.



For a healthy building

Chemical Specifics, Inc.

46-09 54th Road
Maspeth, NY 11378

For more
information
about CSI,
call us at
718-361-6666 or
look us up on
the web @
CSIontheweb.com

Member ACCA, NADCA & BOMA, NY

Fun & Games at ACCA's Casino Night!



The Greater New York Chapter thanks these Casino Night sponsors

General Sponsors:

- | | |
|---------------------|------------------------------|
| ABCO HVACR Supply | National Compressor Exchange |
| Amerisc Corporation | Twinco Supply |
| B & F /Johnstone | Zisholtz & Zisholtz |
| LIPA | |

Special Gaming Table Sponsors:

- Cascade Water Services
- John F DeLillo CPA
- National Compressor Exchange
- Twinco Supply

ACCA Adds Mastering Hydronics - Gas Service To NATE Essentials Series

ACCA has announced a new addition to the NATE Essentials series designed to help technicians and others take and pass the NATE specialty exams.

The new four-part video training, "Mastering Hydronics - Gas Service," offers comprehensive instruction in an easy-to-understand manner, directing users through all of the parts with clear explanations and visual aids. Jack Rise, one of the country's leading HVACR educators, presents the series. The four parts cover: Boiler Basics; Hot Water; Gas; and Electrical.

"The NATE Essentials CDs remain one of the most cost-effective ways to train employees," says Paul T. Stalknecht, ACCA President & CEO. "The value that employees receive stems from being able to learn from the best trainers in the industry, at their own pace and at the most convenient times for them."

The training, sold as a four-CD set with a list price of \$299 or a discounted \$269 to ACCA members, is available now through the ACCA online store.

The "Mastering Hydronics - Gas Service" training is part of the NATE Essentials training platform, which also includes sessions on core service, heat pump service, core installation, air conditioning installation, and more. To see the full list of NATE Essentials topics or to purchase NATE Essentials, visit www.natetraining.com or call 888-290-2220.



portnoy
messinger
pearl & associates, inc.

Partnering with ACCA
for Comprehensive Human Resource Solutions




Policy Development * Training * Employee Handbooks * Affirmative Action Plans
OFCCP Audits * Labor Strategies & Solutions * Compliance * HR Vulnerability Reviews
Union Avoidance * Arbitration * NLRB Hearings * Recruiting & Placement
Compensation * Job Descriptions * Performance Management
HR Outsourcing * HR On-Site Mentoring * HR Help Desk
www.pmpHR.com abpearl@pmpHR.com
516-921-3400



Kevin Cirincione
President


COUNTY ENERGY CONTROLS, INC.
County Pneumatic Controls, LLC
Energy Management Systems

429 Montauk Hwy - POB 780 p: (631) 653-9124
East Quogue NY 11942 f: (631) 653-9177
www.countyenergycontrol.com e: kevin@countyenergycontrol.com

Major Sponsor:
ABCO Refrigeration
Supply Corp.

ACCA Night Out With The Mets Friday, June 15th vs Cincinatti REDS



Game followed by **free**
REO Speedwagon Concert

\$30.00 per ticket
After May 15, 2012 tickets are
\$35.00 per ticket

Register online at
www.accany.com

People & The Workplace

By Alan B. Pearl,

Portnoy, Messinger, Pearl & Associates, Inc., Syosset, NY
516-921-3400, Fax 516-921-6774 e-mail: ABPearl@pmpHR.com,
Website: www.pmpHR.com

Hiring Military Veterans or Reservists

United States combat operations in Iraq ended in December, 2011, and the number of forces stationed in Afghanistan is dwindling. Men and women who have been deployed as members of the military will be returning home and seeking employment. To ease the burden of finding employment, President Obama signed into law the Veterans Opportunity to Work to Hire Heroes Act of 2011 (better known as the VOW to Hire Heroes Act) late last year.

This law provides a considerable tax incentive to employers who hire veterans of the wars in Iraq or Afghanistan. Hiring a veteran who has been unemployed for at least four weeks, but less than six months qualifies an employer for a \$2400 tax credit. If an employer hires a veteran who has been out of work for at least six months, the employer is entitled to a \$5600 tax credit. The tax credit increases to \$9600 when a job applicant has been unemployed for at least six months and has suffered a service-related disability. These tax credits, as well as government provided jobs training, are intended to decrease the over 12% unemployment rate of veterans returning from Iraq and Afghanistan.

The VOW to Hire Heroes Act affects the area of discrimination law as well. Employers should be warned that the law broadens a claim of discrimination to include liability for creating a "hostile work environment" aimed at former military personnel or reservists. The law seeks to prevent intimidation, abuse or harassment based on an individual's military status even if it does not result in the employee being fired, demoted, transferred or suffering some other adverse employment action. Now, courts are likely to view allegations of military discrimination similarly to

claims of discrimination based on race, sex, national origin or disability discrimination under Title VII of the Civil Rights Act. You should consider this change in the law seriously and amend your anti-discrimination policies and employee handbook to prohibit discrimination on the basis of an individual's military and/or veteran status. All employees, including managers, should be trained and reminded of their obligations not to discriminate against another employee, including those protected by their military status.

NLRB Posting This Time It's Real

The April 30th NLRB poster requirement has not been postponed, so employers should visit NLRB.gov or contact PMP to obtain and then post the notice. Employers should also advise supervisors to be prepared for questions about unionization. In particular, supervisors should be prepared to explain that nothing has changed. Employees have the same rights they always had and the company has never needed a union here and still doesn't. In a business as competitive as ours, the best job security is when we all work as a team and not find ourselves in a disruptive "us vs. them" environment.

Finally

One more reminder: Every employer should have in place and strictly enforce rules prohibiting use of any hand held communication device while driving. The rule should be in writing, and you should have a signed acknowledgement from every employee. Accidents caused by these distractions are increasing astronomically, and employers are at great risk in litigation.

Abpearl@pmpHR.com or (516) 921-3400 is always ready to help provide answers to your questions or follow-up to ensure compliance. •

**Make a habit of checking
the ACCA Chapter website at
www.accany.org**



8334 23rd Avenue
East Elmhurst, NY 11376
718-458-7920
www.enterprise.com/fleets

Kevin Hughes
Area Sales Manager

Paul Bambinelli
Account Executive

718-458-7920, ext. 303
paul.m.bambinelli@erac.com



John P. Hanley

Northeast Regional Manager - Channel Development

jhanley@hvac.me.com | www.mehvac.com

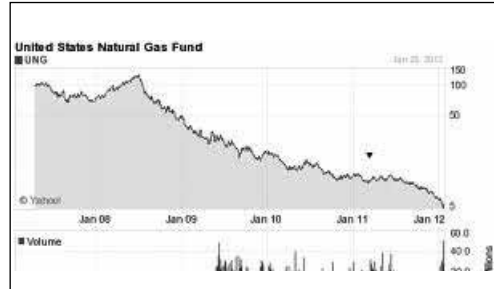
Direct: 973.256.3690 | Mobile: 973.951.5105 | Fax: 973.256.3691

10 Zendzian Ave. | Woodland Park, NJ 07424
facebook.com/mehvac | twitter.com/mitsubishihvac | youtube.com/mitsubishihvac

Natural Gas Glut is Double Edged Sword

By John Ottaviano/Air Ideal

Natural gas prices have plummeted over the last two years due to the market glut created by the shale gas explosion created by hydrofracturing or “fracking”. For energy consumers, this is a major financial benefit in that the market price for those heating with natural gas has fallen significantly. This is also a boon to the electric generation industry, which has shifted new power generation facilities to natural gas turbines. *The result has been a 50% reduction in costs for the US Power industry for national electric generation.* How this has only equated to a LIPA 4.5% rate reduction is a question that should be asked of the State Public Service Commission. LIPA has said it is using the savings to write down losses and loans. Still, LIPA’s rates are now at their lowest in 5 years.



There is such a glut of natural gas on the market that drillers and energy companies are cutting extraction and production in a play to increase and stabilize market prices. As energy companies have reaped windfall profits at higher energy prices, it behooves them to use Keynesian supply and demand principles to manipulate profits. Unfortunately, capital expansion of gas pipelines has not increased significantly to increase consumer demand. For example, I’ve been trying to get our local utility to extend the gas main 300 feet for the past 20 years.

An unfortunate byproduct of this natural gas boon is the effect that it has had on alternative energy sources. The combination of a harsh recession, disappearing federal tax credits and lower natural gas prices has seen consumers and municipalities running from alternative energy capital improvement projects. Wind power, solar and geothermal projects have all taken a hit since the return on investment has increased because of falling natural gas prices. “Cheap gas makes it difficult for rival forms of fuel to compete”, said Sam Brothwell, a senior utility analyst with Bloomberg Industries. Add to this that in an election year politicians are loathe to suggest energy taxation measures to create a level playing field and it pushes our window to achieve a fossil fuel free future into the next generation.

As always, to keep up to date with what’s new in HVAC technology, visit our website at airideal.com and follow us on Twitter @airideal and at our Facebook page! •

Commercial, Residential, Parts, Supplies, Tools, Accessories, Training... even sales and marketing support...



Bohemia
 21 CROSSWAYS EAST
 BOHEMIA, NY 11716
 Phone: (631) 588-2181
 Fax: (631) 218-8104
 Manager: Tom Rucci

Brooklyn
 445 CONEY ISLAND AVE
 BROOKLYN, NY 11218
 Phone: (718) 287-5927
 Fax: (718) 287-6134
 Manager: Paul Reynolds

Farmingdale
 175 CENTRAL AVE- Suite 300
 FARMINGDALE, NY 11735
 Phone: (631) 501-5720
 Fax: (631) 501-5733
 Manager: Andrew Casey

Maspeth
 48-23 55TH AVE
 MASPETH, NY 11378
 Phone: (718) 472-0200
 Fax: (718) 472-6330
 Manager: Mike Byrnes



**Everything you need, all in one place... with four locations near you!
 Ask your Territory manager about our new lead generation system!**

Fleet Management Drives Fuel Savings Plan

By Kelly Hiner, Enterprise Fleet Management

With fuel prices remaining unpredictable for the foreseeable future, more emphasis is being directed to fuel economy strategies. An example of this increased emphasis is the Obama administration's recent announcement regarding the first fuel economy standards for medium duty trucks. Taking effect in 2014, the new standards require fuel consumption and greenhouse gas emissions to be reduced by approximately 10 percent by model year 2018. Estimates are that these trucks could save an average of one gallon of fuel for every 100 miles traveled. And, as every business with a fleet of vehicles knows, these savings add up quickly when multiplied by the total number of miles driven by an entire fleet.

But even without these new regulations aimed at future engine design, many businesses that work with a professional fleet management company are already realizing substantial savings from fuel management practices that focus on driver patterns and vehicle performance.


One of the best practices is a fuel card program. Using a fuel card that is accepted by as many gas stations as possible

nationwide not only adds convenience, it can also impact fuel efficiency and driver productivity. A fuel card that assigns a security code to individual drivers can be programmed to accept only authorized purchases, including limiting use of the card to designated business hours. Some fuel card programs also can be programmed to automatically track every fuel purchase and monitor transaction patterns by individual driver and vehicle. Receiving regularly updated reports from the fuel card company provider can enable a business to spot a problem and take appropriate action before it becomes a serious issue.

In addition, new technology allows smart phones to quickly compare the price per gallon (PPG) for specific grades of fuel at different locations within a specific geographic area. Advanced telematic satellite devices also can be used to monitor whether a driver is taking the most direct route, speeding in traffic, arriving on time for an appointment and excessive idle time.


The most reliable fuel savings programs are those that provide detailed reports with the ability to customize to specific client needs with timely online access. Not surprisingly, when drivers know their fuel purchase activity or driving patterns are being monitored and scrutinized, they actually become more conscientious and productive. This is a win-win situation for everyone.

When choosing a fuel card program for a fleet of vehicles, businesses should be aware of significant differences among various fuel card providers. Key questions should include the number of stations that can be used with the fuel card,



MAR CONTROLS INC.

4 Magnet Street
Stony Brook, New York 11790



Johnson Controls



AUTHORIZED BUILDING CONTROLS SPECIALIST

Our staff of factory trained application and sales engineers are ready to help you meet the growing challenges of today's HVAC, Temperature Control and Building Automation Systems marketplace.

- HVAC, Pneumatic, DDC Controls
- Access Controls & CCTV
- Wireless Controls
- Systems Design
- Panel Fabrication - UL508
- Mechanical Equipment
 - * VAV Boxes
 - * Fan Coil Units
 - * Blower Coil Units
 - * Variable Frequency Drives
 - * Dampers - Fire, Smoke, Control
- Wire & Cable

Phone: 631-689-5745 • Fax: 631-689-5463
E-mail: jmarcntl@optonline.net

For All Your
HVAC Requirements

Twinco Supply Corp.

TWINCO LOCATIONS

Long Island 11746
55 Craven St. • Huntington Station, NY
Tel: 631.547.1100 Fax: 631.547.1103

Long Island City 11101
10-11 38th Ave. • Long Island City, NY
Tel: 718.729.0005 Fax: 718.729.3866

New York City 10001
548 West 28th St. • New York, NY
Tel: 212.631.0555 Fax: 212.631.0776

www.twinco.com

COMPRESSORS

CARRIER / CARLYLE * COPELAND * TRANE * YORK *
LIEBERT * DUNHAM BUSH * DANFOSS * BRISTOL & MANY MORE
OILS * ACCESSORIES * FULL STOCK
Certified Remanufacturer of Reciprocating,
Hermetic, Screw & Semi Hermetic Compressors



CALL TODAY:

1.800.225.7381 - 718.417.9100




NATIONAL COMPRESSOR EXCHANGE, INC.
75 ONDERDONK AVE, RIDGEWOOD, NY 11385

WWW.NATIONALCOMPRESSOR.COM • INFO@NATIONALCOMPRESSOR.COM

whether the fuel card has a driver identification security code feature, the ability to control and/or limit purchases, and whether local company representatives are available to provide assistance when needed. The importance of having 24/7/365 customer service support cannot be overstated.

When considering a universal fleet fueling program, businesses have a lot of options. But, the bottom line is that businesses that take advantage of a universal fuel card program will benefit from cost savings and driver productivity.

Kelly Hiner is Group Sales Manager for Enterprise Fleet Management in New York and can be contacted at 973-709-2499. Visit the company's web site at www.enterprisefleet.com or call toll free 1-877-23-FLEET. •



LENNOX
COMMERCIAL COMFORT SYSTEMS

ENERGENCE™
Saving Energy with Intelligence

For More Information Contact Lennox Industries at 973-263-8185



We're your bridge to cost effective insurance management

- Home Builders Insurance Program
- Remodelers Insurance Program
- Trade Contractors Insurance Program

Contact: Anthony Capone, CIC, John Glanzman, CIC, Jim Murphy, CIC
Joseph Teixeira or Edward C. Palace

NEWBRIDGE COVERAGE CORP.

1666 Newbridge Rd
N. Bellmore, NY 11710
Phone (516) 781-9000
Fax (516) 781-9172

236 Main St.
Center Moriches, NY 11934
Phone (631) 325-1972
Fax (631) 325-9065



<http://www.newbridgecoverage.com>



Dedicated to the success of our HVAC partners



Wholesale Distributors ■ Air Conditioning ■ Heating

485-13 South Broadway
Hicksville, NY 11801
516-931-6500
Fax: 516-931-6566

80 13th Avenue, Suite 6
Ronkonkoma, NY 11779
631-981-4000
Fax: 631-580-3792

5-15 54th Avenue
Long Island City, NY 11101
718-937-7300
Fax: 718-706-6529

175 Clearbrook Road
Elmsford, NY 10523
914-592-0020
Fax: 914-592-0291

You can also find these and other quality products and services at www.wallworkgroup.com



Statement From Stuart S. Zisholtz, Esq.

Irregular Bid and Bid Protest

When bidding work within the public sector, there are numerous requirements that must be met before a contract is officially awarded. When a contractor is the lowest bidder, it is not necessarily the winning bidder. There are other responsibilities and obligations that the contractor must comply with under the terms of the bid in order to be awarded the contract. If those responsibilities and obligations are not met, a losing bidder can challenge the award.

A losing bidder has certain rights. In a bid protest, protesting bidders are often frustrated by the fact that the public owners can waive minor irregularities in the winning contractor's bid. If the irregularity is not material, the owner's discretionary decision to waive the irregularity will generally not be disturbed by a Court. The issue becomes what is considered an irregularity and whether it is material or not.

Often, when there is an irregularity in a bid proposal, the public owner will allow the contractor to correct the irregularity after the bid opening, as opposed to rejecting the bid. The protesting bidder would have to prove in Court that the irregularity was material and that it was disadvantaged by the correction of the low contractor's bid.

Moreover, if the bid protestor commences an action in court, one of the criteria it must satisfy is that the public owner's actions were arbitrary and capricious. This means that the public agency had no rational basis upon which to make its decision when it

waived the irregularity and allowed the winning bidder to correct the deficiency. Even if the Court disagreed with the actions of the public owner, it is not difficult for a public agency to show some rationale or factual basis to justify what it did and prevail in the action.

Despite these obstacles, a bid protest is still winnable in certain circumstances.

It is up to the bid protestor to establish that the discrepancy or irregularity is material. For instance, in certain circumstances, the winning bidder failed to provide evidence of participation in a state approved apprenticeship training program. The court felt that this was a material aspect of the bid and the ability by the public owner to permit the irregularity to be cured was an error. As a result, the project was rebid.

The key aspect to any bid protest is to ensure that the winning bidder complied with all of the terms and conditions of the bid. While not every item set forth in the bid proposal will be deemed material, it is essential that the bid protestor review the terms and determine whether the issues are material or not.

Never let your lien time run out!!

For a free copy of our 4th edition pamphlet pertaining to mechanic's liens and payment bond claims, kindly contact me or the association.

Stuart S. Zisholtz is a partner in the law firm of Zisholtz & Zisholtz, Mineola, New York, a general practice firm specializing in Construction Law and Mechanic's Liens. He is also a member of the Greater New York Chapter, ACCA. He can be reached at 516-741-2200. •

More customers. More profits. Join LIPA's team of participating contractors.



Earn more with LIPA incentives every HVAC season!

Becoming a LIPA participating residential or commercial contractor can mean more business for your business. Our residential central A/C new and early retirement programs require customers to use a participating LIPA contractor to be eligible for LIPA rebates. Plus, we are now listing LIPA Commercial Efficiency Partner contractors on our Web site for the benefit of businesses taking advantage of our expanded Commercial Efficiency Program.

Visit www.lipower.org/trade or call 1-800-692-2626. Special discounts are offered when registering through the LIPA Web site.

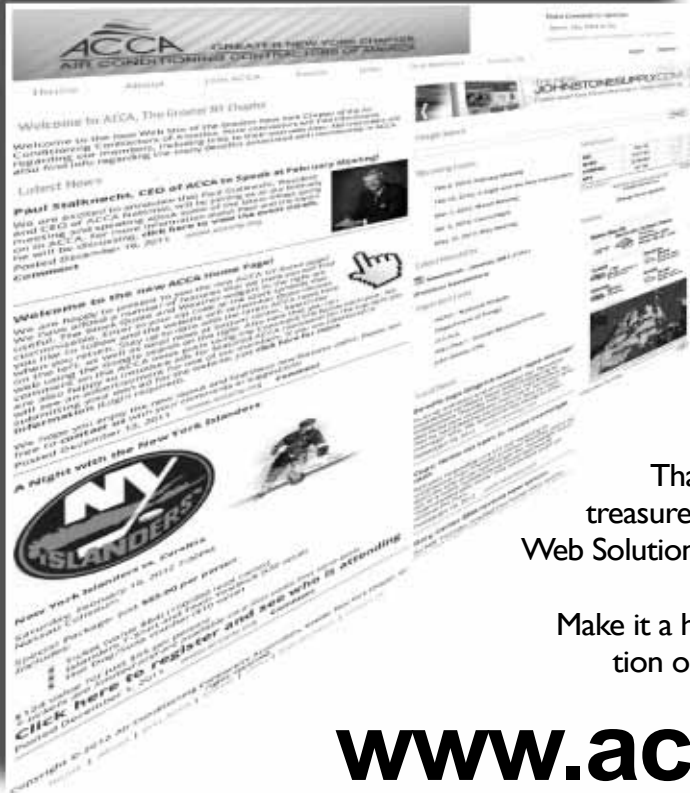
CONTRACTOR BENEFITS:

- Be listed as a participating Cool Homes and/or Commercial Efficiency Partner contractor on the LIPA Web site.
- Access to educational seminars, taught by independent trainers, on proper equipment sizing using ACCA Manual J and airflow and system charging.
- Access to additional HVAC technician self-development courses available online through vocational training companies.

LIPA
Long Island Power Authority



WE'RE WORKING FOR YOU.



Visit our newly redesigned website!

Thanks to Marc Soffler of Dynaire Corp., our ACCA treasurer, who worked with Mike McCloy of Twin Harbor Web Solutions to redesign a clean, easy to use, and informative website for our organization. Make it a habit to go there frequently for the latest information on chapter activities, and up-to-date industry news.

www.accany.org

Check the ACCA national website, www.acca.org, too!

Things are looking up at BLACKMAN

COMFORT WITH CONFIDENCE
Comfortmaker[®]
 Air Conditioning & Heating

(The Best Part Of The World's Largest Air Conditioning Manufacturer)



Blackman is your one-stop HVAC supply center, featuring these great brands:

- Ruud
- Hart & Cooley
- Acme
- Honeywell
- Fujitsu
- Diversitech
- Honeywell
- Shurtape
- Cambridge-Lee



BLACKMAN[®]
 PLUMBING/HEATING/COOLING SUPPLIES
www.blackman.com

Manhattan212-337-1000
 Flushing718-939-7200
 Queens Village ..718-479-5533
 Lynbrook516-593-3100
 Mineola516-742-1011
 Hicksville516-931-6144
 Huntington631-271-0500

Wantagh516-785-6000
 Bohemia631-567-1551
 Medford631-475-3170
 Rocky Point631-744-1955
 Riverhead631-727-4800
 Southampton ...631-283-1500
 General Offices .631-823-4300

Cascade Quality Services Are Better Than Ever!

Water Treatment

- Cooling Water
- Boiler Water
- Drinking Water
- Well / Ground Water

Scale, corrosion, biological growth, air & water born dirt & debris are expensive if not controlled properly. Total service and or advisory service programs are available that are custom designed specifically for your system.

Cleaning Services

- Cooling Towers •Boilers
- Chillers •Piping
- "Closed" Systems
- Water & Air Cooled Condensers
- Air Handlers & Ducts •Tanks

Dirty systems are expensive, both in energy costs and downtime. Our trained service personnel and custom designed equipment and vehicles are available for prompt, cost efficient response to either *emergency* or *scheduled* cleanings.

Rebuilding & Repair

- Cooling Towers
- Water Tanks

We restore cooling towers and tanks to original capacity at a fraction of the replacement cost.

CASCADE
WATER SERVICES

113 Bloomingdale Rd.
Hicksville, NY 11801
Tel: (516) 932-3030
Fax: (516) 932-0014

Licensed by: THE CITY OF NEW YORK
DEPARTMENT OF HEALTH #20 000173, 14 000156;
and the NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION # C1628716; All
biocides are registered with the UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY.



Quality
Works



An Conditioning Contractors of America



REFRIGERATION SUPPLY CORP.®

49-70 31st Street
Long Island City, NY 11101
Phone: 800-786-2075
Fax: 718-937-9776

Fulfilling All Your HVAC / R Needs

- ☼ In-Depth Inventory
- ☼ On-Staff Experts
- ☼ Fast Delivery

Bronx
600 East 132nd Street
Bronx, NY 10454
Phone: 718-401-1001
Fax: 718-401-2286

Brooklyn
100-01 Avenue D
Brooklyn, NY 11236
Phone: 718-257-5700
Fax: 718-257-5880

Manhattan
541 West 34th Street
NY, NY 10001
Phone: 212-929-8400
Fax: 212-629-5768

Staten Island
420 Bay Street
Staten Island, NY 10304
Phone: 718-273-0200
Fax: 718-720-0500

Hauppauge
33 Central Ave
Hauppauge, NY 11788
Phone: 631-234-5500
Fax: 631-324-5077

Hicksville
225 Charlotte Street
Hicksville, NY 11801
Phone: 516-938-8400
Fax: 516-938-8421

Suffern
12 North Airmont Rd
Suffern, NY 10901
Phone: 845-357-3322
Fax: 845-357-5444

White Plains
80 West Post Road
White Plains, NY 10606
Phone: 914-946-2020
Fax: 914-946-6822

ABCOR's Commitment: *Pride Only In Exceeding Each Customer's Highest Expectations™*

16 Convenient Locations Throughout the Northeast

Long Island City • Brooklyn • Bronx • Manhattan • Staten Island • Hicksville, NY • Hauppauge, NY • Suffern, NY • White Plains, NY
Stamford, CT • Totowa, NJ • Kenilworth, NJ • Philadelphia, PA • Center City, Philadelphia, PA • New Castle, DE • Somerville, MA