



## Amendment of Solicitation

**Date of Issuance:** November 1, 2018

**Solicitation No.** 0900000348

**Requisition No.** N/A

**Amendment No.** One (1)

Hour and date specified for receipt of offers is changed: ☐ No ☒ Yes, to: 11/13/2018 3:00PM CST

Pursuant to OAC 260:115-7-30(d), this document shall serve as official notice of amendment to the solicitation identified above. Such notice is being provided to all suppliers to which the original solicitation was sent.

Suppliers submitting bids or quotations shall acknowledge receipt of this solicitation amendment prior to the hour and date specified in the solicitation as follows:

- (1) Sign and return a copy of this amendment with the solicitation response being submitted; or,
- (2) If the supplier has already submitted a response, this acknowledgement must be signed and returned prior to the solicitation deadline. All amendment acknowledgements submitted separately shall have the solicitation number and bid opening date printed clearly on the front of the envelope.

**ISSUED BY and RETURN TO:**

**U.S. Postal Delivery:**

Theresa Johson  
Contracting Officer

405 - 521 - 2289  
Phone Number

, OK -

or

**Personal or Common Carrier Delivery:**

theresa.johnson@omes.ok.gov  
E-Mail Address

,OK -

**Description of Amendment:**

a. This is to incorporate the following:

SECTION A – Amend Solicitation to read:

Amend C.3.1 add the following to read as follows:

The calculated usage for the period of October 19 2016 through July 20, 2017 is as follows:

87 CONVENTION UNLEAD – 1,285,085.50 gallons at \$2,255,035.77

UL SUL #2 DIESEL DYED – 1, 539,645.30 gallons at \$2,564,459.20

UL SUL DIESEL #2 – 92,026.40 gallons at \$160,965.99

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b. All other terms and conditions remain unchanged.

Supplier Company Name (**PRINT**)

Date

Authorized Representative Name (**PRINT**)

Title

Authorized Representative Signature

**Amend B.2. Contract Renewal to read as follows:**

**B.2 Contract Renewal:**

After the Initial Term, exercise of the renewal option is at the State's sole discretion and the Agreement may be renewed upon mutual written consent of the parties. Prior to each renewal, the State shall subjectively consider the value of this Contract to the State, and shall be conditioned, at a minimum, on the Contractor's performance and the reported spend. The State, if it desires to exercise its renewal option, will provide written notice to the Contractor no later than thirty (30) days prior to the contract expiration date.

**Amend C.1 Definitions of Terms to read:**

C.1.5. "FUEL MARKUP OR BID MARGIN" shall mean the contractor's price to cover cost associated with providing Fuel to State facilities.

Remove - C.1.7. "RETAIL" shall mean fuel and/or maintenance locations who accept the Suppliers card for payment at specific facilities.

**Amend C.4 Fuel Pricing to read as follows:**

C.4.1. Fuel Price: Fuel pricing must be the wholesale price of fuel. Price will be determined using the OPIS average price for the closest appropriate terminal, on the date of delivery to the Customer, regardless of when or where the Contractor actually obtained Fuel. The Fuel Markup will be for the selected terminals as posted in the PADD 2 report included in the OPIS Weekly Newsletter Thursday's Closing Average.

C.4.2. Fuel Terminals: Fuel prices from OPIS are listed for terminals, by regions, in reports called a PADD Report. The State of Oklahoma uses terminals listed in the PADD 2 Report. The following terminals are used to refer to the OPIS average prices:

- Ardmore
- Enid
- Oklahoma City
- Ponca City
- Tulsa
- Wynnewood
- 

**Amend C.5 Fuel Markup to read as follows:**

C.5.1. The Contractor shall provide a Fuel Markup to cover all costs associated with the purchase of Fuel products. Fuel Markup or Bid Margin may differ based on how much fuel is required and the actual type of Fuel ordered. Markup for Fuel shall be on a price per gallon basis

C.5.2 The Contractor will provide a single **Fuel Markup or Bid Margin** to cover the purchase of Fuel for all Locations as a basis for determining Fuel costs for Authorized Users. The Fuel Markup may be different based on the type of fleet referenced, Bulk and Consignment.

C.5.3 Markups will be established for each type of Fuel based on the minimum delivery requirements as detailed in Section H. Facilities will use the same Markups based on their requirements.

**Amend E.7 Reference/Past Performance to read as follows:**

E.7.9. Clients must be supplier's clients with the last 48 months.

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**SECTION B – ANSWER TO QUESTIONS:**

The following questions have been submitted by suppliers, this amendment is issued to incorporate clarifications and to share this information with all suppliers. The questions and subsequent answers are numbered and in bold type for clarity.

**QUESTION #1** - After looking through the bid documents and bid pricing sheet, I was unable to locate the total estimated gallons. I saw on the pricing sheet that it had prices broken down by load size, however I was unable to determine what the overall estimate would be.

**ANSWER #1 – See Section A of this amendment for the amended section C.3.1 .**

**QUESTION #2** - We are interested in learning more about the fuel bid referenced above. Will you please provide the annual gallon amount usage for this contract?

**ANSWER #2 – See Section A of this amendment for the amended section C.3.1.**

**QUESTION #3** - Also, would payment terms of Net 30 from date of delivery via EFT/ACH be accepted?

**ANSWER #3 – No, see section A.18.3 – Payment terms will be net 45, however A.18.5 allows for additional terms which provide discounts for earlier payment.**

**QUESTION #4** - A few questions in regard to the Solicitation ;Are the addresses of the physical delivery locations available?

**ANSWER #4 – No, the physical delivery locations are not available.**

**QUESTION #5** - Is the annual usage for each location available?

**ANSWER #5 – No, the annual usage by location is not available.**

**QUESTION #6** Our records show that your bulk fuel contract for gasoline, diesel and biodiesel will expire on 12/5/18 with no options remaining to extend. Please advise when the new RFP will be released so that WE may participate in this year's bid process. I checked your website but didn't see a new listing. Please advise. Thank you.

**ANSWER #6 – I am forwarding you the message that was sent to all registered suppliers WITH THE SOLICITATION NOTIFICATION ATTACHED. The solicitation is available on the website.**

**QUESTION #7** - Will State of Oklahoma accept demurrage charge amounts actually charged by the carriers/subcontractors (which is typically \$75/hour after the first hour)?

**ANSWER #7 – Allowable Charges are addressed in Section C.8 and in Attachment A – Bulk Fuel – Price Sheet of the solicitation.**

**QUESTION #8** - Can client references send the completed Reference form directly to State of Oklahoma instead of back to us to submit with the proposal if they are more comfortable sending directly to you?

**ANSWER #8 - No, E.7.13. of the solicitation states “The Supplier must then submit the completed exhibit with the Proposal...”**

**QUESTION #9** - Are Net 10 or Net 15 payment terms an option?

**ANSWER #9 – See question #3.**

**QUESTION #10** - Will State of Oklahoma accept pricing based on DAILY OPIS vs. WEEKLY OPIS?

**ANSWER #10 – OPIS Weekly Newsletter Thursday's Closing Average. See Section A of this amendment for the amended section C.4.1.**

**QUESTION #11** - Can you provide the bid tabulation from the previous RFP for these products/services?

**ANSWER #11 - No, that information is subject to 74.O.S. § 85.10. Records open for public inspection.**

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BULK AND CONSIGNMENT FUEL  
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Section B – Answers to Questions - continued  
PAGE FOUR

QUESTION #12 - Can you provide a sample invoice?

**ANSWER#12 – Yes, a sample invoice is enclosed.**

QUESTION #13 - Is there a diversity initiative associated with this bid?

**ANSWER#13 – No, there is no such requirement**

QUESTION #14 - What is meant in Section E.7.9. - Clients must be supplier's "corporate card program" clients within the last 48 months?

QUESTION #15 - Are the contract extensions mutually agreed upon?

**ANSWER #15 – See Section A of this amendment for the amended section B.2.**

QUESTION #15 - Are the contract extensions mutually agreed upon?

**ANSWER #15 – See Section A of this amendment for the amended section B.2.**

QUESTION #16 - Have any addendums been released for this bid?

**ANSWER #16 – No, this is the first amendment to the solicitation.**

QUESTION #17 - When is the award date?

**ANSWER #17 – Prior to the current contract expiration of 12/05/2018.**

QUESTION #18 - When is the first board meeting after the opening?

**ANSWER #18 – That is not applicable to this acquisition.**

QUESTION #19 - Will decision be made before or at board meeting?

**ANSWER #19 – See questions #18 above**

QUESTION #20 - If we do not attend the bid opening when will we be notified of the low bidder and can we receive a copy of the bid tabulations?

**ANSWER #20 – See Section A.7 Open Bid / Open Record**

QUESTION #21 - Can we please get a copy of the previous bid tabulations?

**ANSWER #21 – See answer #20 above**

QUESTION #22 - What is the average size of delivery?

**ANSWER #22 – That information is not tracked or calculated.**

QUESTION #23 - Can we please get the tank sizes at the locations listed? Are the tanks above or below ground?

**ANSWER #23 – that is unknown**

QUESTION #24 - Do you typically order both products at one time (gas and diesel)?

**ANSWER #24 – that is unknown**

QUESTION #25 - Do you typically order more than 1 location at a time? (split delivery)

**ANSWER #25 – that is unknown**

QUESTION #26 - On the fuel types, do you happen to have the estimated usage or prev. years usage?

**ANSWER #26 – See Section A of this amendment for the amended section C.3.1**

QUESTION #27 - Do you own the current tanks?

**ANSWER #27 – that is unknown**

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BULK AND CONSIGNMENT FUEL  
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Section B – Answers to Questions - continued  
PAGE FIVE

QUESTION #28 - Can we please get a copy of a current invoice with backup provided by your current supplier?

**ANSWER #28 – A sample invoice is enclosed**

QUESTION #29 - Are you currently an OPIS subscriber?

**ANSWER #29 – No this office does is not an OPIS subscriber**

QUESTION #30 - What information is requested in the reporting requirement, i.e. Usage per site, products, gallons, etc. **ANSWER #31 – A sample usage report is enclosed.**

QUESTION #31 - Is the pricing section C.4.1 referencing consignment fuel

**ANSWER #31 – See Section A of this amendment for the amended section C4.1**

QUESTION #32 - Is the pricing section C.4.2 referencing bulk fuel at a delivered price?

**ANSWER #32 – No, the pricing section referencing bulk fuel and consignment fuel is section C.7.**

QUESTION #33 - Is the fuel markup section C.5 indicating that the bidder's differential shall only consist of the OPIS average cost of fuel and the bidder's margin?

**ANSWER #33 – See Section A of this amendment for the amended section C.5.**

QUESTION #34 - Are bidders to base their differential off the closest OPIS, weekly, average, nearest OK city (section C.4.1)?

**ANSWER #34 – See Section A of this amendment for the amended section C.4.1.**

QUESTION #35 - Are bidders to base their differential off the closest OPIS, daily, average, OK city (section C.4.2)?

**ANSWER #35 – See Section A of this amendment for the amended section C.4.1.**

QUESTION #36 - Which specific OPIS index will be utilized for pricing this contract (Gross or Net, End of Day, Contract, Weekly, Daily) (section C.4.1 & C.4.2)?

**ANSWER #36 – See Section A of this amendment for the amended section C.4.1.**

QUESTION #37 - Are bidders to base their differential off their actual cost of the fuel (fuel pricing attachment A, B & C)? **ANSWER #37 – No, the pricing section referencing bulk fuel and consignment fuel is section C.7.**

QUESTION #38 - Are taxes to be included in the differential pricing?

**ANSWER #38 – No, see section C.7.**

QUESTION #39 - If shown as line items on the invoice, will payment for the applicable taxes be processed by the state? **ANSWER #39 – See sample invoice.**

QUESTION #40 - Are all freight costs to be included in the differential pricing?

**ANSWER #40 – No, see section C.7.**

QUESTION #41 - Are all freight costs to be excluded from the differential, and shown as line items on the invoice?

**ANSWER #41 – See sample invoice**

QUESTION #42 - Are bidders to include the cost of the 1% contract management fee in their differential (section B.18.1).

**ANSWER #42 – See sample invoice**

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PAGE SIX

QUESTION #43 - Are bidders to include the cost of installing the fuel control terminal and / or fuel storage unit in their differential pricing?

**ANSWER #43 – No, see section H.3 MISCELLANEOUS**

QUESTION #44 - If no, can these costs be presented under attachment C – Miscellaneous?

**ANSWER #44 – Yes, see above**

QUESTION #45 - Please advise if any locations are currently being inventory managed via an auto metering unit (section C.3.3 & C.10 & C.11.1)? Is the auto metering unit vendor supplied or state owned? Will the state identify which location have remote capable auto metering units currently?

**ANSWER #43 – That information is unknown**

QUESTION #46 - Please describe the state's relations with its current fuel dispensing and management provider (section C.10 & 11.2)? Is the state currently using the same card platform to access retail fuel as well as back yard fuel? Does the retail card provider manage the fuel dispensing and management system? Does the current service provider own any out of the existing fuel dispensing systems at the state facilities?

**ANSWER #46 – That information is unknown**

QUESTION #47 - Please confirm the state of Oklahoma receives dyed diesel for state exempt fuel (on road or off road). **ANSWER #47 - See Section A of this amendment for the amended section C.3.1.**

QUESTION #48 - Who is your current vendor? **ANSWER #48 – Petroleum Traders and Penley Oil**

QUESTION #49 - Please provide tabulations from the most current fuel bid.

**ANSWER #49 – See answer #20**

QUESTION #50 - How often are deliveries split between multiple locations?

**ANSWER #50 – that is unknown**

QUESTION #51 - If a split occurs, can the fee be passed to the entity?

**ANSWER #51 – that is unknown**

QUESTION #52 - If a split occurs, how many sites are allowed to be split per delivery?

**ANSWER #52 – that is unknown**

QUESTION #53 - If a split occurs, is the fee to be included in the bid differential pricing or a separate line item on the invoice? **ANSWER #53 – that is unknown**

QUESTION #54 - Are contract renewals based upon mutual agreement?

QUESTION #55 - Please provide a current gas and diesel invoice.

**ANSWER #55 – A sample invoice is enclosed**

QUESTION #56 - Please provide a current gas and diesel Bill of Lading.

**ANSWER #56 – That information is not available.**

QUESTION #57 -Please provide site delivery information (i.e. physical address, delivery hours / days of week).

**ANSWER #57 – That information is not available**

QUESTION #58 - Please provide tank sizes for each location.

**ANSWER #58 – That information is not available**

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QUESTION #59 - Please provide tank types for each location (i.e. above or below ground storage).

**ANSWER #59 – That information is not available**

QUESTION #60 - Please provide estimated annual usage for each location.

**ANSWER #60 – That information is not available**

QUESTION #61 - Please provide the estimated amount on gallons that are expected to be delivered by Transport truck and how many are to be delivered by Tank Wagon?

**ANSWER #61 – That information is not tracked**

QUESTION #62 - What is the average delivery size received by each location?

**ANSWER #62 – That information is not available**

QUESTION #63 - Do you have a minimum gallon order quantity?

**ANSWER #63 – No**

QUESTION #64 - Is there a local preference for this bid?

**ANSWER #64 – No**

QUESTION #65 - If yes, how is the local preference calculated into the scoring for award?

**ANSWER #65 – No**

QUESTION #66 - Is the awarded vendor responsible for the costs of any fuel testing?

**ANSWER #66 – No, testing is not addressed in this solicitation**

QUESTION #67 - How many times was the fuel tested under the current contract?

**ANSWER #67 – That information is not available**

QUESTION #68 - Will winter diesel additive be required?

**ANSWER #68 – Additives are included on a separate contract**

QUESTION #69 - Do you blend kerosene with diesel for winterization?

**ANSWER #69 – That information is not available**

QUESTION #70 - How do you currently prevent diesel from gelling in the winter (Example: Kerosene blends or winter additive)? **ANSWER #70 – Additives are included on a separate contract**

QUESTION #71 - Which specific months will require winter additive (or Kerosene) for the diesel?

**ANSWER #71 – That information is not available**

QUESTION #72 - Is winter diesel to be priced off the standard ULSD #2 OPIS price?

**ANSWER #72 – Yes, if it is ordered.**

QUESTION #73 - Will biocide additive be required?

**ANSWER #73 – Additives are included on a separate contract**

QUESTION #74 - What biocide additive is currently being used?

**ANSWER #74 – Additives are included on a separate contract**

QUESTION #75 - What treatment ratio is being used?

**ANSWER #75 – Additives are included on a separate contract**

QUESTION #76 - Does every load receive additive treatment?

**ANSWER #76 – Additives are included on a separate contract**

SAMPLE INVOICE

Invoice Date      P. O. Number:      Account #:      Invoice #:      Salesperson:      Carrier:

Billing Address:

OKLAHOMA, STATE OF

Shipped To:

OKLAHOMA, STATE OF

Terms:

Invoice

	Quantity	Unit Price	Amount
87 CONVENTIONAL UNLEADED GASOLINE	0.00		\$0.00
BOL:    Gross:			
MEETS EPA DETERGENT ADDITIVE REQUIREMENTS (NON-REFORMULATED).			
OK STATE CUSTOMER LINE ITEM EXPENSE in price: \$0.0			
FREIGHT	1.00		\$0.00

Taxes

FEDERAL EXCISE GAS TAX	\$0.00
\$0.0 on each of 0 sold gallons    EXEMPT: STATE, LOCAL GOV'T AND SCHOOLS - License:	
FEDERAL GAS LUST TAX	\$0.0
\$0.00 on each of 0 sold gallons	
OIL SPILL TAX.	\$0.0
\$0.0 on each of 0 sold non-renewable gallons	
OK - 5A GAS MOTOR FUEL TAX (NON ELIGIBLE PURCHASER)	\$0.00
\$0.0 on each of 0 sold gallons	
OK PETROLEUM UNDERGROUND TANK RELEASE	\$0.00
\$0.00 on each of 0 sold gallons    EXEMPT: STATE OF OKLAHOMA - License:	

Notes

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INVOICE TOTAL:

\$0.00





# State of Oklahoma - OMES Central Purchasing

CONTRACT # (SW):		SUPPLIER NAME:		REPORTING PERIOD:	<div><div>( )</div><div>( )</div><div>( )</div><div>( )</div></div> <div>Jul 1 - Sept 30</div> <div>Oct 1 - Dec 31</div> <div>Jan 1 - Mar 31</div> <div>Apr 1 - Jun 30</div>			
<p><b>Instructions:</b> In the spreadsheet below, please provide a detailed usage report for purchases made by all State of Oklahoma agencies, counties, school districts, municipalities, higher education institutions and all other authorized users.</p> <p><i>Submit Contract Usage Reports, in Excel format, by email to: Strategic.Sourcing@omes.ok.gov</i></p> <p><i>Mail Administrative Fee Checks to: Office of Management &amp; Enterprise Services   5005 N. Lincoln Blvd, Suite 200   Oklahoma City, OK 73105</i></p>								
					Admin Fee =		1.00%	

--	Purchase Order #/ P-Card (Required)	Order Date	Purchasing Entity (Required)	Shipping Location	Manufacturer	Manufacturer Item #	Product Description (Required)	Product Category	Supplier Item #	UNSPSC Code	MSRP	Unit Price (Required)	Quantity (Required)	Total Spend (Calculated)	Savings (Calculated)	Admin Fee (Calculated)	
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--	Purchase Order #/P-Card (Required)	Order Date	Purchasing Entity (Required)	Shipping Location	Manufacturer	Manufacturer Item #	Product Description (Required)	Product Category	Supplier Item #	UNSPSC Code	MSRP	Unit Price (Required)	Quantity (Required)	Total Spend (Calculated)	Savings (Calculated)	Admin Fee (Calculated)	
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