



Scott County, Virginia
We're a Natural



INVITATION TO BID (ITB)
FUEL & FUEL STORAGE SYSTEMS

SCOTT COUNTY BOARD OF SUPERVISORS
190 BEECH STREET, SUITE 201
GATE CITY, VA 24251
PH: 276-386-6521
FAX: 276-386-9198

ISSUE DATE
06/8/2018

1. 1. SUMMARY AND BACKGROUND

Scott County is currently accepting sealed bids for providing “Fuel and Fuel Storage Systems.” Bids will be awarded to one bidder as a whole based on the lowest responsible and responsive bid received.

2. BIDDING GUIDELINES

This Invitation to Bid represents the requirements for an open and competitive process.

Candidates must submit a sealed bid in writing, either in person or by postal carrier labeled “**Bid – Fuel & Storage Systems**”. Include the Bidder’s name, and address. Bids shall be submitted to Amy Vicars, Purchasing Administrator, by **2:00 PM on Monday, June 18, 2018**, at the Scott County Administrative Offices, 190 Beech St., Suite 201, Gate City, VA 24251 at which time they will be publicly opened and read aloud. Any bids received after this date and time will not be considered. All bids must be signed by an official agent or representative of the company submitting the bid. The County reserves the right to reject any and all bids.

If the organization submitting a bid must outsource or contract any work to meet the requirements contained herein, this must be clearly stated in the bid, and must include a name and description of the organizations being contracted.

Contract terms and conditions will be negotiated upon selection of the winning bidder. All contractual terms and conditions will be subject to review by the Scott County Attorney.

Contractor awarded contract must:

- Produce satisfactory evidence of appropriate workers compensation, vehicle and public liability insurance for contractor and subcontractors, if any.
- Comply with all applicable VOSHA, environmental, etc., laws and regulations.
- Contractor’s Authorization to Transact Business: Please see the attached form titled “Proof of Authority to Transact Business in Virginia.”
- Discrimination Prohibited; Participation of Small, Women-, Minority- and Service Disabled Veteran-Owned Business: (Code of Virginia § 2.2-4310) In the solicitation or awarding of contracts, the County of Scott shall not discriminate because of the race, religion, color, sex, national origin, age, disability or any other basis prohibited by state law relating to discrimination in employment.
- The County welcomes and encourages the participation of small businesses and businesses owned by women, minorities, and service disabled veterans in procurement transactions made by the County.
- Employment Discrimination: (Code of Virginia § 2.2-4311) This provision only applies to contracts valued in excess of \$10,000.
- During the performance of this contract, the contractor agrees as follows:
 - a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or

other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.

c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

The contractor will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

- **Drug-Free Workplace:** (Code of Virginia § 2.2-4312) This provision only applies to contracts valued in excess of \$10,000.

During the performance of this contract, the contractor agrees to (i) provide a drug-free workplace for the contractor's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor. For the purposes of this section, "drug-free workplace" means a site for the performance of work done in connection with a specific contract awarded to a contractor in accordance with this chapter, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

- **Faith-Based Organizations:** (Code of Virginia § 2.2-4343.1) Scott County does not discriminate against faith-based organizations.
- **Illegal Aliens:** (Code of Virginia § 2.2-4311.1) The Contractor agrees that he or she does not, and shall not during the performance of this contract, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.
- **Indemnification:** The Contractor shall hold harmless and indemnify Scott County and its officers, officials, employees, and agents against any and all injury, loss, or damage arising out of the Contractor's negligent or intentionally wrongful acts or omissions. The County will not agree to indemnify the offeror or bidder.
- **Proprietary Information:** § 2.2-4342(F) of the Code of Virginia states: "Trade secrets or proprietary information submitted by a bidder, offeror, or contractor in connection with a procurement transaction or prequalification application submitted pursuant to subsection B of § 2.2-4317 of the Code of Virginia (1950), as amended, shall not be

subject to the Virginia Freedom of Information Act (§ 2.2-3700 et seq. of the Code of Virginia (1950), as amended); however, the bidder, offeror, or contractor shall (i) invoke the protections of this section prior to or upon submission of the data or other materials, (ii) identify the data or other materials to be protected, and (iii) state the reasons why protection is necessary.” If the exemption from disclosure provided by § 2.2-4342(F) of the Code of Virginia is not properly invoked, then the proposals will be subject to disclosure pursuant to applicable law.

3. INVITATION TO BID AND PROJECT TIMELINE

Invitation to Bid Timeline:

All bids in response to this ITB are due no later than **2:00 PM on Monday, June 18, 2018.**

Upon notification, the contract with the winning bidder will begin July 1, 2018 or the following business day. The contract period will begin July 1, 2018 through June 30, 2021, with option to renew the contract, at the County’s sole discretion, for (2) two additional years. The bid shall remain fixed for the entire initial contract period. Thirty (30) days prior to expiration of the current year contract, the contractor may request a price review, if a price increase or decrease is requested. If the contractor requests a price increase, the County will evaluate the request, and may elect to re-bid the contract, if the County does not consider the request fair and reasonable. No price review requests will be considered during the initial contract period or at any other time not specified herein.

The County may, from time to time, request changes in the scope of the services to be performed hereunder. Such changes, including any increase or decrease in the work to be performed, shall be made in writing from the County to the Bidder with the Bidder duly acknowledging receipt thereof.

4. SPECIFICS

- **Items to provide at Scott County Transfer Station, 596 Landfill Lane, Gate City, VA 24251:** (A.) Two each 2,000 gallon American Society of Mechanical Engineers (ASME) approved fuel tank for ultra low-sulfur, highway diesel fuel with a minimum of ASTM-D613, 43 cetane with Scott County Building Official (SCBO) approved concrete pad. (B.) One each 2,000 gallon ASME approved fuel tank for regular unleaded gasoline 87 octane (R+M)/2 with SCBO approved concrete pad.
- **Items to provide at Scott County Park, 247 Fore Drive, Gate City, VA 24251:** (A.) One each 275 gallon ASME approved fuel tank for high-sulfur, non-highway diesel fuel with SCBO approved concrete pad. (B.) One each 275 gallon ASME approved fuel tank for regular unleaded gasoline 87 octane (R+M)/2 with SCBO approved concrete pad.
- Service: Fuel to be supplied “as needed” basis for each of the above mentioned fuel tanks.
- Emergency standby power or emergency pumps shall be provided and available for providing fuel in the event of power failure at the fueling station. Must reserve a minimum of 1,000 gallons and deliver diesel to the generators (locations listed)

during notice of an emergency and/or fuel shortage. Generators installed at Scott County Community Services Building, Scott County Emergency Communications Center, Scott County Pioneer Center, Scott County Crooked Road & Technology Center, Scott County Sheriff's Office, and a tower location at the Scott County Landfill.

- Scott County shall be provided the opportunity to periodically have the State Bureau of Weights and Measures check the fuel pump for accuracy of the delivery of the purchased fuel.
- Fuel Types: (1.) Ultra low-sulfur, highway diesel fuel with a minimum of ASTM D613, 43 cetane (2.) High-sulfur, non-highway diesel fuel (3.) Regular unleaded gasoline 87 octane (R+M)/2, must be 100% gasoline with NO ethanol. Bidder is to supply all fuel throughout contracted period.
- Fuel Pricing Method: A price adjustment schedule shall be used for the unleaded gasoline and diesel fuel pricing. Pricing of fuel shall be established by using the base price per gallon with a differential cost that is to be added to the base price per gallon.
- Price will be calculated as follows: (1.) Posted terminal base price per gallon; plus (2.) Freight coast per gallon; plus (3.) Margin per gallon.
- Your bid price shall reflect the above mentioned price to the County as of the day of the submitted bid. Your posted terminal base price, should you be awarded a contract, will be increased or decreased only as the selected posted terminal base price increases or decreases. Bidder shall be required to notify, in writing, the County of any changes in the base price within ten (10) days of the price change.
- The differential (transportation and profit) mentioned in the formula quoted is to include your overhead, freight costs, and profit. **This differential shall remain firm and not change throughout the period of the contract.**
- Vendors will display price basis information on each invoice. Their weekly price basis information must also include name and address from posted terminal base price. The total unit price will be in gallons and consist of the cost from the listed terminal and a differential to include all other costs.
- Any and all supporting equipment (tanks, gauges, valves, etc.) will be supplied at no cost to the County by bidders.

5. PAYMENTS

Invoices will be paid following regularly scheduled board meetings, which are held on the first Wednesday of each month. Invoices must be submitted no later than the Wednesday before the board meeting.

NOTE: All costs and fees must be clearly described in each bid. Bids must include all applicable fees and charges. No additional charges will be permitted. A Virginia tax exemption certificate will be issued upon award of bid.

Each bidder must submit their bid by **2:00 PM on Monday, June 18, 2018:**

Scott County Administrative Offices
C/O Amy Vicars, Purchasing Administrator
190 Beech St., Suite 201, Gate City, Virginia 24251

Bidder MUST complete, sign and submit this form as your bid

Bid of _____ (hereinafter called "BIDDER"), organized and existing under the laws of the State of _____ doing business as _____ (Insert "a corporation," "a partnership," or "an Individual" as applicable). To the Scott County Administrative Offices (hereinafter called "COUNTY") in compliance with your Invitation to Bid, Bidder hereby proposes to perform all work, provide SCBO approved concrete slabs and required ASME approved fuel tanks, and provide all material and supplies for providing a "Fuel and Fuel Storage Systems" for Scott County, VA in strict accordance with the project specifications, within the time set forth therein, and at the prices stated below.

By submission of this bid each Bidder certifies, and in the case of a joint bid each party thereto certifies as to his own organization, that this bid has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this bid with any other Bidder or with any competitor.

The undersigned hereby proposes and agrees to provide SCBO approved concrete slabs and required ASME approved fuel tanks and associated accessories as stated in the specifications to provide "Fuel and Fuel Storage Systems" for use by the Scott County Agencies.

The pricing method of posted terminal base price per gallon and transportation freight cost per gallon of unleaded fuel and diesel fuels to the County shall be completed for each of the three specific items and result in a pricing method to be used throughout the contract period as stated in the specifications. Each item listed in the pricing method shall reflect the above pricing method as of the date of the submission of this bid. The pricing method will be effective for purchases by County Agency vehicles of fuel as listed below at regular pumps.

Bids require answering the following in a responsible manner. Answer item number 1 by filling in the space with a **yes or no**. Answer items number 2, 3 and 4 by filling in the appropriate space with the appropriate price data as of the date of the submission of this Bid. Alternative bids will not be considered. Bid shall be considered and awarded as a whole.

1. The undersigned hereby proposes and agrees to provide "Fuel and Fuel Storage Systems" as specified in the Invitation to Bid and **warrants that said system will be operational no later than July 1, 2018:** _____

2. Pricing Method for Ultra Low-Sulfur, Highway Diesel fuel with minimum of ASTM D613, 43 cetane:
 - A. Posted terminal base price per gallon: \$ _____
 - B. Transportation freight cost per gallon: \$ _____
 - C. Profit margin per gallon: \$ _____

- Total price per gallon of ultra low-sulfur, highway diesel to the County as of the date of the submission of this Bid: \$ _____

3. Pricing Method for High-Sulfur, Non-Highway Diesel fuel:
- A. Posted terminal base price per gallon: \$ _____
 - B. Transportation freight cost per gallon: \$ _____
 - C. Profit margin per gallon: \$ _____

Total price per gallon of high-sulfur, highway diesel fuel to the County as of the date of the submission of this Bid: \$ _____

4. Pricing Method for Regular Unleaded Gasoline 87 Octane
- A. Posted terminal base price per gallon: \$ _____
 - B. Transportation freight cost per gallon: \$ _____
 - C. Profit margin per gallon: \$ _____

Total price per gallon of regular unleaded gasoline 87 octane to the County as of the date of the submission of this Bid: \$ _____

The undersigned declares that they have reviewed the complete Invitation.

Company

Signature

Address

Title

City, State, Zip

Date

Phone Number

Email

PROOF OF AUTHORITY TO TRANSACT BUSINESS IN VIRGINIA

THIS FORM MUST BE SUBMITTED WITH YOUR PROPOSAL/BID. FAILURE TO INCLUDE THIS FORM MAY RESULT IN REJECTION OF YOUR PROPOSAL/BID

The attention of each offeror or bidder is directed to § 2.2-4311.2 of the *Code of Virginia*, which requires an offeror or bidder organized or authorized to transact business in the Commonwealth of Virginia pursuant to Title 13.1 or Title 50 of the *Code of Virginia*, as amended, or as otherwise required by law, to include in its proposal or bid the Identification Number issued to such offeror or bidder by the Virginia State Corporation Commission (SCC). Furthermore, any offeror or bidder that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 of the *Code of Virginia*, as amended, or as otherwise required by law, shall include in its proposal or bid a statement describing why the offeror or bidder is not required to be so authorized. Failure to provide the required information may result in the rejection of the proposal or bid. If the proposal or bid is accepted by the County, the undersigned agrees that the requirements of the *Code of Virginia* § 2.2-4311.2 have been met. Please complete the following by checking the appropriate line that applies and providing the requested information. **PLEASE NOTE: The SCC number is NOT your federal ID number or business license number.**

A. _____ Offeror/Bidder is a Virginia business entity organized and authorized to transact business in Virginia by the SCC and such offeror's/bidder's Identification Number issued to it by the SCC is _____.

B. _____ Offeror/Bidder is an out-of-state (foreign) business entity that is authorized to transact business in Virginia by the SCC and such offeror's/bidder's Identification Number issued to it by the SCC is _____.

C. _____ Offeror/Bidder does not have an Identification Number issued to it by the SCC and such offeror/bidder is not required to be authorized to transact business in Virginia by the SCC for the following reason(s): _____

Please attach additional sheets if you need more space to explain why such Offeror/Bidder is not required to be authorized to transact business in Virginia.

Legal Name of Company (as listed on W-9): _____

By: _____ Title: _____
(typed or printed)

Date: _____ Authorized Signature: _____

PLEASE RETURN THIS PAGE WITH PROPOSAL OR BID - REQUIRED