ORD 21-028

AN ORDINANCE TO AUTHORIZE AND APPROVE CONTRACT 22011PW BETWEEN THE CITY OF WILMINGTON AND JAMES RIVER SOLUTIONS FOR GASOLINE, HEATING OIL, AND DIESEL FUEL

WHEREAS, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

WHEREAS, the City publicly advertised the specifications for Contract 22011PW "Gasoline, Heating Oil & Diesel Fuel" (the "Contract") in accordance with the requirements of Section 8-200 of the City Charter, and subsequently awarded the Contract, a copy of which, in substantial form, is attached hereto and incorporated by reference herein as Exhibit "A", to James River Solutions (the "Contractor"), the lowest responsible bidder; and

WHEREAS, the delivered price per gallon for gasoline, heating oil, and diesel fuel that the City will pay to the Contractor under the Contract is comprised of two components the daily OPIS Contract Low Rack price for Philadelphia, Pennsylvania at 5:00 p.m. for the day of delivery plus a delivery fee that is fixed for the term of the Contract; and

WHEREAS, the term of the Contract is for the period from July 1, 2021 through June 30, 2022, at an estimated price of Nine Hundred Ninety-Eight Thousand, Five Hundred Fifty Eight Dollars and Fifty Cents (\$998,558.50), with the possibility of two (2) extensions of one (1) year thereafter with the same terms and conditions, at the option of the City, subject to budget appropriations; and

WHEREAS, the primary purpose of the Contract is to provide fuel for the City's fleet of vehicles and heating oil for the City's buildings; and

#0062

Sponsor:

Council Member Oliver WHEREAS, it is the recommendation of the Department of Public Works that the City enter into the Contract with the Contractor for the period from July 1, 2021 through June 30, 2022, and reserve the right to extend the Contract for two (2) additional periods of one (1) year thereafter, at the option of the City.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Contract 22011PW "Gasoline, Heating Oil & Diesel Fuel" between the City of Wilmington and James River Solutions, a copy of which Contract, in substantial form, is attached hereto as Exhibit "A," for the period from July 1, 2021 through June 30, 2022, at an estimated price of Nine Hundred Ninety-Eight Thousand, Five Hundred Fifty Eight Dollars and Fifty Cents (\$998,558.50), with the possibility of two (2) extensions of one (1) year thereafter with the same terms and conditions, at the option of the City, is hereby approved, and the Mayor and the City Clerk are hereby authorized to execute as many copies of the Contract, as well as to take all additional undertakings related thereto, as may be necessary.

SECTION 2. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading...... May 20, 2021 Second Reading..... May 20, 2021 Third Reading.....

Passed by City Council,

President of City Council

ATTEST:	City Clerk	
Approved this	day of	, 2021.
	Mayor	

SYNOPSIS: This Ordinance authorizes the execution of Contract 22011PW "Gasoline, Heating Oil & Diesel Fuel" between the City of Wilmington and James River Solutions for the period from July 1, 2021 through June 30, 2022, at an estimated price of Nine Hundred Ninety-Eight Thousand, Five Hundred Fifty Eight Dollars and Fifty Cents (\$998,558.50), with the possibility of two (2) extensions of one (1) year thereafter with the same terms and conditions, at the option of the City.

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance is a contract for the period from July 1, 2021 through June 30, 2022, at an estimated price of Nine Hundred Ninety-Eight Thousand, Five Hundred Fifty Eight Dollars and Fifty Cents (\$998,558.50), with the possibility of two (2) additional extensions of one (1) year thereafter at the same estimated annual price for each extension, at the option of the City.

W0114310

EXHIBIT A

Run Dates: 03/04/21, 03/11/21

The City of Wilmington will receive sealed bids at the Division of Procurement & Records, 5th Fl., Louis L. Redding Bldg., 800 French St., Wilm., DE 19801 for:

22011PW - GASOLINE, HEATING OIL & DIESEL FUEL

Bids Due: Thursday, March 25, 2021, at 3:00 p.m., to the Procurement Di-vision 5th Floor, Louis L. Redding City/County Building, 800 French Street, Wilmington, DE 19801. Bids can also be left in the drop box marked "P-ROCUREMENT" located on the first floor in front of the guard station.

Bid opening: Zoom Meeting, Time: Mar 25, 2021 03:00 PM Eastern Time (US and Canada)

Link https://zoom.us/j/93438358719?pwd=USs3SVd4b2dQZ2p6ZG9WYXBwT z140T09 Meeting ID: 934 3835 8719

Passcode: 58Ehga

Plans and Specifications may be obtained by email to procurement@wilmingtonde.gov

Philip Ceresini Purchasing Agent II Division of Procurement and Records **Department of Finance** pceresini@wilmingtonde.gov

www.wilmingtonde.gov

3/4, 3/11-NJ

-0004627357-01







Street Address: 950 West Basin Road New Castle, DE 19720

Mailing Address: P.O. Box 15505 Wilmington, DE 19850 (302) 324-2500 (800) 235-9100

Legal Desk: (302) 324-2676 Legal Fax: 302 324-2249

SD CITY WILM PURCHASING DIV 800 N FRENCH ST FL 5

WILMINGTON, DE 19801

DE.

AFFIDAVIT OF PUBLICATION

State of Delaware New Castle County

Personally appeared The News Journal

Of the The News Journal Media Group, a newspaper printed, published and circulated in the State of Delaware, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 2 times, once in each issue as follows:

03/04/21, 03/11/21 A.D 2021

Swom and subscribed before me, this 11 day of March,

2021

Melanie C Alt

Ad Number: 0004627357

Legal notification printed at larger size for affidavit.







Classified Ad Receipt (For Info Only - NOT A BILL)

Customer: SD CITY WILM PURCHASING DIV

Address: 800 N FRENCH ST FL 5 WILMINGTON DE 19801 USA

Run Times: 2

Run Dates: 03/04/21, 03/11/21

Text of Ad:

The City of Wilmington will receive sealed bids at the Division of Procurement & Records, 5th FL, Louis L. Redding Bldg., 800 French St., Wilm., DE 19801 for:

22011PW - GASOLINE, HEATING OIL & DIESEL FUEL

Bids Due: Thursday, March 25, 2021, at 3:00 p.m., to the Procurement Division 5th Floor, Louis L. Redding City/County Building, 800 French Street. Wilmington, DE. 19801. Bids can also be left in the drop box marked "P-ROCUREMENT" located on the first floor in front of the guard station.

Bid opening: Zoom Meeting, Time: Mar 25, 2021 03:00 PM Eastern Time (US and Canada) Link https://zoom.us/j/93438358719?pwd=USs35Vd4b2dQZ2p6ZG9WYXBwT zl4QT09 Meeting ID: 934 3835 8719 Passcode: 58Ehga

Jans and Specifications may be obtained by email to sprocurement@wilmingtonde.gov

Philip Ceresini Purchasing Agent II Division of Procurement and Records Department of Finance pceresinl@wilmingtonde.gov www.wilmingtonde.gov

3/4, 3/11-NJ

-0004627357-01



Ad No.: 0004627357 Pymt Method Invoice Net Amt: \$309.72

No. of Affidavits: 1



INSTRUCTIONS TO BIDDERS

1. Bids on City Contract 22011PW – GASOLINE, HEATING OIL & DIESEL FUEL are due to the Department of Finance, Division of Procurement and Records, 5th Floor, Louis L. Redding City/County Building, 800 French Street, Wilmington, Delaware by 3:00 PM on March 25, 2021. Bids can also be left in the drop box marked "PROCUREMENT" located on the first floor in front of the guard station.

The building is still closed to the public so the bid opening will be visible as a Zoom Meeting.Link:https://zoom.us/j/93438358719?pwd=USs3SVd4b2dQZ2p6ZG9WYXBwTzl4QT09Meeting ID:934 3835 8719Passcode:58Ehqa

 Proposals must be in triplicate, sealed in an envelope, and the envelope endorsed "Bid for City Contract
 22011PW - GASOLINE, HEATING OIL & DIESEL FUEL" and addressed to the Department of Finance, Division of Procurement and Records, 5th Floor, Louis L. Redding City/County Building, 800 French Street, Wilmington, Delaware.

3. Any bid may be withdrawn prior to the schedule time for opening of bids or authorized postponement thereof. No bid may be withdrawn within thirty (30) calendar days after the actual opening thereof.

4. <u>The successful bidder</u> will be required to have or obtain an appropriate business license from the Department of Finance, Revenue Division, City of Wilmington, in order to be awarded the contract. Before obtaining a City of Wilmington Business License, all applicants must show proof of a current State of Delaware Business License.

5. The corporation, the successful bidder shall furnish a certificate from the State where it is incorporated, stating that it is a subsisting corporation. The corporation shall also furnish one (1) original and two (2) copies of the excerpts of the corporate minutes, which grant authority to those who sign and attest the contract. The Corporate Seal shall be affixed where signatures are attested.

6. <u>The successful bidder</u> will be required to withhold City of Wilmington Wage Tax from their employees and withheld taxes paid to the City of Wilmington pursuant to the provisions of the Wilmington Wage Tax Law. This law applies to people living and/or working in the City of Wilmington.

7. The U.S. Department of Commerce monitors Procurement transaction made to minority business enterprises by the City of Wilmington. The Minority Business Developments Agency's District Office reserves the right to contact the successful minority bidder and/or subcontractor to confirm any participation in the Procurement process.

8. The successful bidder certifies that they are not listed on the Federal Government, Excluded Parties List System (<u>www.sam.gov</u>). This will be verified by the City of Wilmington and if listed may be grounds for rejection of the bid or proposal.

9. Any person doing business or seeking to do business with the City shall abide by the following <u>Global Sullivan</u> <u>Principles</u>:

- A. Support universal human rights and particularly, those of employees, the communities within which you operate, and parties with whom you do business.
- B. Promote equal opportunity for employees at all levels of the company with respect to issues such as color, race, gender, age, ethnicity, or religious beliefs, and operate without unacceptable worker treatment such as the exploitation of children, physical punishment, female abuse, involuntary servitude, or other forms of abuse.
- C. Respect employee's voluntary freedom of association.
- D. Compensate employees to enable them to meet at least their basic needs and provide the opportunity to improve their skill and capability in order to raise their social and economic opportunities.

- E. Provide a safe and healthy workplace; protect human health and the environment; and promote sustainable development.
- F. Promote fair competition including respect for intellectual and other property rights, and not offer, pay, or accept bribes.
- G. Work with governments and communities in which you do business to improve the quality of life in those communities -- their educational, cultural, economic, and social well-being -- and seek to provide training and opportunities for workers from disadvantaged backgrounds.
- H. Promote the application of these principles by those with whom you do business.

10. Award and Execution of Contract

A. **Consideration of Proposals.** After the proposals are opened and read, they will be compared on the basis of the summation of the products of the approximate quantities shown in the bid schedule by the unit bid prices, unless the proposals states a different basis for comparing bids. In the event of a discrepancy between unit bid prices and extensions, the unit bid price shall govern.

Before awarding the contract, a bidder may be required to show that he/she has the ability, experience, necessary equipment, experienced personnel, and financial resources to successfully carry out the work required by the contract.

The right is reserved to reject any and/or all proposals, to waive technicalities, to advertise for new proposals, or to proceed to do the work otherwise, if in the judgment of the department the best interest of the City will be promoted thereby.

- B. Award of Contract. The award of the contract, if it be awarded, must be within thirty (30) calendar days after the opening of proposals to the lowest responsible and qualified bidder whose proposal complies with all the requirements prescribed. The successful bidder will be notified by letter mailed to the address shown on his proposals that his bid has been accepted and has been awarded the contract.
- C. Cancellation of Award. The City reserves the right to cancel the award of any contract at any time before the execution of said contract by all parties without any liability against the City.
- D. Right to Audit. The City Auditor or his designee shall have the right to audit the contract and any books, documents, or records relating thereto.

Questions should be directed to Phil Ceresini via email at <u>pceresini@wilmingtonde.gov</u>. Questions will not be accepted within I week of bid opening.

THIS CONTRACT DOES NOT REQUIRE A BID BOND OR PERFORMANCE BOND.









CITY OF WILMINGTON, DELAWARE

SPECIFICATIONS FOR CONTRACT

GASOLINE / HEATING OIL / DIESEL FUEL

CONTRACT 22011PW

City of Wilmington Department of Public Works February 25, 2021



CITY OF WILMINGTON DEPARTMENT OF PUBLIC WORKS GASOLINE, HEATING OIL AND DIESEL FUEL Contract 22011PW

SPECIFICATIONS:

Petroleum products sold to the City of Wilmington under the Terms and Conditions of this contract will be tested according to the procedures and specifications outlined below. Vendors can bid Wagon Loads, Tanker Loads (8,500), or a combination of both:

Gasoline to conform to the ASTM Designation D439-79 or most current revision thereof: the antiknock requirement for gasoline shall be as follows:

Antiknock IndexEthanol Content /Gal.MinimumMaximum87.0 octane15%

Heating Oil to conform to the ASTM Designation for #2 Heating Oil, D396 or most current revision. The heating oil shall also comply with the requirement of Ultra Low Sulphur 15 PPM maximum. The City will not accept DYED ULSD in lieu of Heating Oil.

Diesel Fuel to conform to the ASTM designation D975 or most current revision for ULSD (12-15 PPM of Sulfur). Suppliers and their sources are prohibited from adulterating the fuel with reclaimed or waste products of any type. The fuel is to be completely distilled materials. That is, the fuel should show at least 98 percent of volume recovery when subjected to ASTM D-86 (or latest version) distillation. Fuel is to meet VVF-800 (grades DF-1 and DF-2) and ASTM Designation D-975. Fuel is to be clean and free of contamination of any kind. The cetane number rating must be a minimum of 40 and the final boiling point is to be 675 degrees Fahrenheit. The City will not accept 5% or 2% bio in your diesel.

TERM:

The initial term of this contract shall be July 1, 2021, or as soon as possible thereafter, to June 30, 2022. The City of Wilmington maintains the option to extend this contract for two (2) additional periods of one (1) year each which will run from July 1st until June 30th. Terms and conditions of the contract must remain the same. The City will give 60 days advanced written notice if the contract is to be extended.





PRICING METHOD:

For all fuel products the bidder must complete the proposal form at the end of this document. The delivered price per gallon of Gasoline / Heating Oil / Diesel Fuel will be calculated for each product as follows: the daily OPIS Contract Low Rack price for Philadelphia, PA at 5:00 pm for the day of delivery plus the delivery fee (fixed for the term of the contract) from the proposal form. The City of Wilmington is exempt from Federal and State excise taxes. Additional charges to appear separately on the invoice are:

Federal Leaking Underground Storage Tank (LUST) Fee Federal Oil Spill Recovery Fee Delaware Hazard Substance Clean

A copy of the February 24, 2021 OPIS Contract Report for 5:00 pm is attached to this document for reference as Attachment A. Additionally, the base price on the proposal form is derived from the February 24, 2021 report. The prices on the proposal form are for comparison only. Invoiced pricing will fluctuate as detailed above.

ESTIMATED QUANTITIES:

The quantities stated in the attached proposal forms are used as basis of comparison of bids. Actual quantities purchased will be governed by need. The City reserves the right to change, add, or delete delivery locations within the City limits as needed.

TAXES:

The price quoted on all products shall be exempt from Federal, State, or local taxes. Tax exempt certificates will be supplied to the successful bidder(s) (license #21131)

GENERAL:

All Items of this specification shall meet or exceed Federal and /or State regulations with reference to air, water, storage, and pollution regulations. The initial term of this contract will be from date of signed contract to **June 30**, **202**2 with possible extensions as described above.





DELIVERY:

Delivery shall be made to the tanks at several locations, Monday through Friday, between 6:00 a.m. and 6:00 p.m., and anytime when requested for an emergency delivery. When verbally ordered, normal delivery shall be made within 24 hours of receipt of the order.

The successful bidder shall supply a toll-free number where such orders may be placed. Should the successful bidder fail to make delivery of the fuel oil and the diesel or heating oil systems run out of fuel, he shall be liable for all the expenses for the repairs and maintenance to the equipment, including the expense of resetting the pumps restoring burners, cleaning nozzles, and ignition systems. Upon failure to deliver as requested, the City may at their discretion, arrange for another source of fuel oil and the vendor shall be liable for reimbursement to the City for any increase in costs resulting there from.

Emergency deliveries may be requested, and an after-hours delivery charge is to be entered on proposal sheet for this purpose.

Should any fuel delivered prove not to meet the specified standards, the successful bidder shall remove such fuel, replace with specified fuel, and bear the costs of the task. The successful bidder shall remove condensate and other foreign heavy material from the tanks as required, at no additional cost.

METERED DELIVERIES:

All fuel deliveries must be made by trucks equipped with a meter and printed tickets. The printed tickets must indicate readings before and after loading into storage tanks. Copies of the associated delivery tickets are to be sent with the invoices.

AUTOMATIC DELIVERIES:

The Successful Bidder must make automatic deliveries as required based on automatically faxed tank levels supplied daily by the City's Veeder Root System and the future deliveries are to be confirmed in advance with the City's designate by email (designate to be determined at bid award). Successful bidder shall supply a coordinating company contact individual to receive the subject City's tank level faxes. The automatic deliveries pertain to the 1450 New York Ave location fuel site at present but may include other locations later at the discretion of the City. Bidder must take exception to this requirement if compliance is not expected.





INVOICES:

Vendor shall issue a separate invoice for each location and delivery. Delivery location and purchase order number must show on each invoice along with a copy of delivery sheet and daily OPIS rack price listing used for that day. Invoices, OPIS, and copy of the delivery sheet are to be sent to the Finance Department, Accounts Payable via email to: <u>accountspayable@wilmingtonde.gov</u> and <u>laobohoski@wilmingtonde.gov</u> The invoiced quantity of any delivery must match the corresponding delivered quantity as shown on the metered delivery sheet for that delivery. If the quantities of product, OPIS Contract Low Rack Price Sheet, and delivery ticket do not match, the invoice will be held up for payment until reconciliation is made.



DELIVERY LOCATIONS

GASOLINE SMALL TANK 5000 GALLONS OR LESS

Public Safety Building One

300 N Walnut Street One (1) 3,000-gallon tank (in-ground)

Fire Department:

Old Swedes Landing Road At foot of East 4th Street Bridge One (1) 500-gallon tank (Skid Tank, above ground)

GASOLINE LARGE TANK 5001 GALLONS OR MORE

Motor Vehicle Division: (Supervisor – Leonard Obohoski or designate at 302-576-3073)

Public Works Yard at the City's Municipal Complex 1450 New York Ave. (Enter through gate at 500 Wilmington Ave.) **Gate access code required** One (1) 10,000-gallon, above-ground tank One (1) 12,000-gallon, above-ground tank

HEATING OIL (ULSD) SMALL TANKS 5000 GALLONS OR LESS

Porter Gatehouse 2052 E. Park Drive One (1) 275-Gallon, above ground, 15 PPM USLD heating oil tank.

Porter Filter Plant 2052 E. Park Drive One (1) – 15 PPM ULSD heating oil, above-ground, 5,000-gallon tank





HEATING OIL (USLD) LARGE TANKS 5001 GALLONS OR MORE

Water Department: (Supervisor – Joe Dellose at 302-576-5461)

Brandywine Plant 16th & French Streets One (1)10,000-gallon, vaulted underground storage tank, 15 PPM USLD heating oil

DIESEL FUEL (USLD) SMALL TANKS & GENERATORS 5000 GALLONS OR LESS

Public Works Department:

(Supervisor - Otis Rackley at 302-353-6139)

Public Works Yard at the City's Municipal Complex 1450 New York Ave. (Enter through gate at 500 Wilmington Ave.) Gate access code required Two (2) – ULSD, 500-gallon, above- ground tanks (emergency generator tanks)

Water Department:

(Supervisor – Joe Dellose at 302-576-5461)

Porter Filter Plant electrical substation – 2052 E. Park Drive, 19803 One (1) – ULSD, above-ground, 1,200-gallon tank

Porter Filter Plant - Alapocas pump Station – 2052 E. Park Drive, 19803 One (1) – ULSD, 500-gallon tank, above-ground

Kennett Pike – 1125 DuPont Road, 19807 One (1) ULSD, 100-gallon, above ground tank

Hillcrest Pump Station, 503 Hillcrest Avenue, 19809 One (1) ULSD, 100-Gallon, above ground tank

New Castle Pump Station, 4125 New Castle Avenue, 19720 One (1) ULSD, 75-gallon, above ground tank

Cool Springs Station at Gate House, 1001 Van Buren Streets, 19806 One (1) 15 PPM ULSD, 1,000-gallon, in-ground tank





Fire Department:

(Supervisor – Chief John Hoban or designate at 302-576-3151)

Station #3 At 30th and Northeast Blvd. One (1) ULSD, 550-gallon, in-ground tank

Station #2 At New Castle Ave One (1) ULSD, 275-gallon, in-ground tank

Fire Boat Old Swedes Landing Road At foot of East 4th Street Bridge One (1) ULSD 5,000-gallon, tank located on boat at dock

Station #1 At 2nd and West St. One (1) ULSD, 3,000-gallon, above ground tank

Police Athletic League Building:

(Supervisor – Willie Patrick or designate at 302-576-3914) 3707 N Market Street One (1) ULSD, 500-gallon above-ground tank

William Hick Anderson Community Center

(contact – U'Gandi Jacobs, 302-571-4266) 501 Madison Street One (1) ULSD, 500-gallon above-ground tank

DIESEL FUEL (USLD) LARGE TANKS (5001 to 15000 gallons Tank)

Motor Vehicle Division: (Supervisor – Leonard Obohoski or designate at 302-576-3073)

Public Works Yard at the City's Municipal Complex 1450 New York Ave. (Enter through gate at 500 Wilmington Ave.) **Gate access code required** Two (2) 6,000-gallon ULSD, above ground, manifolded tanks (automatic delivery)





Site Visits:

Bidders may make arrangements with site supervisors to visit the tank locations before bidding. Questions related to the bids must go to Phil Ceresini, City of Wilmington Purchasing Department via email at <u>pceresini@wilmingtonde.gov</u>

Questions will not be accepted within one (1) week of bid opening date.

The City retains the right to split the award of each item to separate bidders. The City also reserves the right to change or add, delivery locations within the City limits as needed during the term of this contract.

EXCEPTIONS:

Any exceptions submitted to these specifications and attachments must be submitted by the bidder on company letterhead and enclosed with the bid.



Your City of Wilmington Business License is ______

This proposal is submitted with the knowledge that the Department of Finance, Division of Procurement and Records, reserve the right to reject any and all proposals when, and in its judgment and is in the best interest of the City of Wilmington to do so.

We, the undersigned, hereby agree to furnish and deliver per the specifications, the items listed below to the City of Wilmington, at various locations between start of contract through June 30, 2022 with possible extensions as described above.

THE CITY RESERVES THE RIGHT TO SPLIT THE AWARD TO MULTIPLE VENDORS.

Gasoline Small Tank 5000 Gallons or Less:

Approximately **10,000** gallons of UNLEADED REGULAR, delivered F.O.B. to locations in Wilmington, Delaware as delivered by <u>wagon load</u>.

Estimated Gallons 10,000

OPIS Low Rack (February 24, 2021) \$1.8815

Quoted Delivery Fee per gallon

Delivered Cost per gallon

(OPIS plus Quoted Delivery Fee)

Total Cost for 20,000 gallons

(Delivered Cost Gallon, multiplied by gallons)



Gasoline Large Tank 5001 Gallons or More:

Approximately 310,000 gallons of UNLEADED REGULAR, delivered F.O.B. to locations in Wilmington, Delaware as delivered by <u>tanker load</u>.

Estimated Gallons	310,000
OPIS Low Rack (February 24, 2021)	\$1.8816
Quoted Delivery Fee per gallon	January and a state of the stat
Delivered Cost per gallon	(OPIS plus Quoted Delivery Fee)
Total Cost for 325,000 gallons	(Delivered Cost Gallon, multiplied by gallons)

Heating Oil Small Tank 5000 Gallons or Less:

Approximately 50,000 gallons of HEATING OIL, ULSD, delivered F.O.B. to locations in Wilmington, Delaware as delivered by <u>wagon load</u>.

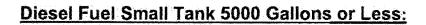
Estimated Gallons	50,000
OPIS Low Rack (February 24, 2021)	\$1.8015
Quoted Delivery Fee per gallon	
Delivered Cost per gallon	(OPIS plus Quoted Delivery Fee)
Total Cost for 50,000 gallons	(Delivered Cost Gallon, multiplied by gallons)



Heating Oil Large Tank 5001 Gallons or More:

Approximately 10,000 gallons of HEATING OIL, USLD, delivered F.O.B. to locations in Wilmington, Delaware as delivered by <u>tanker load</u>.

Estimated Gallons	10,000
OPIS Low Rack (February 24, 2021)	\$1.8015
Quoted Delivery Fee per gallon	·
Delivered Cost per gallon	(OPIS plus Quoted Delivery Fee)
Total Cost for 50,000 gallons	(Delivered Cost Gallon, multiplied by gallons)



Approximately **35,000** gallons of Diesel Fuel, USLD, delivered F.O.B. to locations in Wilmington, Delaware as delivered by <u>wagon load</u>.

Estimated Gallons	35,000
OPIS Low Rack (February 24, 2021)	\$1.9161
Quoted Delivery Fee per gallon	
Delivered Cost per gallon	(OPIS plus Quoted Delivery Fee)
Total Cost for 25,000 gallons	(Delivered Cost Gallon, multiplied by gallons)



Diesel Fuel Large Tank 5001 Gallons or More:

Approximately **100,000** gallons of Diesel Fuel, USLD, delivered F.O.B. to locations in Wilmington, Delaware as delivered by **tanker load**.

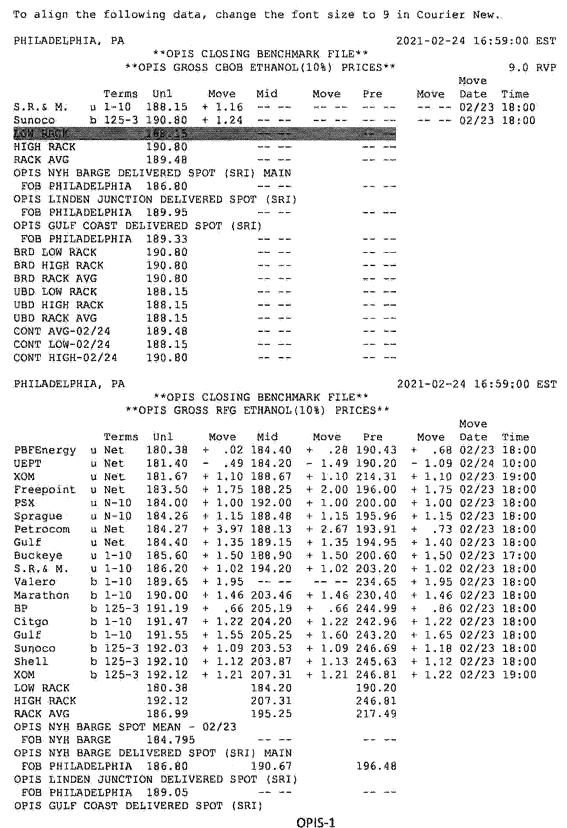
Estimated Gallons	100,000
OPIS Low Rack (February 24, 2021)	\$1.9161
Quoted Delivery Fee per gallon	
Delivered Cost per gallon	(OPIS plus Quoted Delivery Fee)
Total Cost for 165,000 gallons	(Delivered Cost Gallon, multiplied by gallons)





Grand Total:
Grand Total:(Total of all above sections)
FIRM:Corporation / Partnership / Individual
PER: Name (Typed or Printed)
Name (Typed or Printed)
TITLE:
SIGNATURE:
ADDRESS:
CITY, STATE, ZIP:
PHONE:
17 A.V.
FAX:
EMAIL:
FED TAX ID:
AUTOMATIC DELIVERY CONTACT NAME & TEL #:



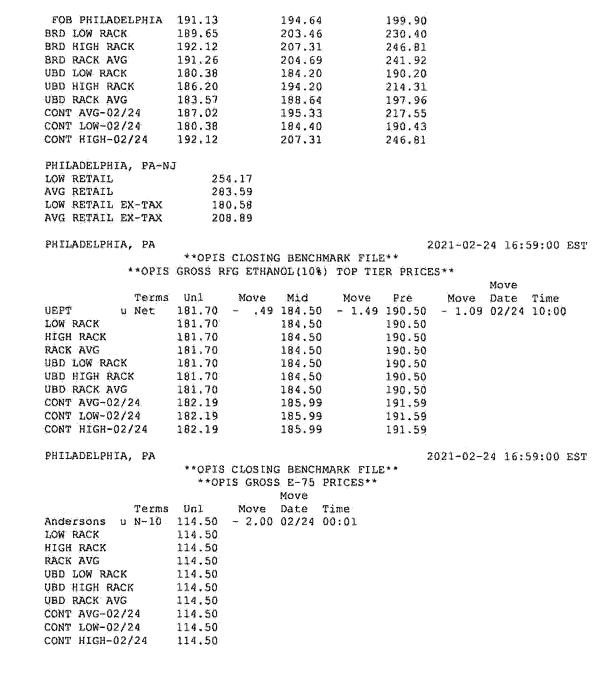




Account #249981

મહત્વ કેસ્પ્રેંડીન

Attachment A







OPIS-2

PHILADELPHIA, PA 2021-02-24 16:59:00 EST **OPIS CLOSING BENCHMARK FILE**								
	*OPIS C	**OPIS SROSS UL!					S**	
						_		Move
* 3 *** (b) (0)	Terms	No.2	Move	No.1	Move	Pre	Move	Date Time
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		196.16	+ .92	مدريت متهاجه		with these states plants.	nije oloj – na slav	02/23 18:00
		196.24	+ .68		100 V.C. was see	· ••••	aan daar saad addi	02/23 18:00
		196.58	+ .85	in in in	معد بني من م	aa in aigaa	the instrument instrument	02/23 19:00
	125-3	196.91	+ 3.24		· man ini ini ini ini ini ini ini ini ini i	ander 1938 1960, 2000,		02/23 18:00
PBEEnergy u	Net	201.84	+ .99	100 an an an an		ann aine ana ana	minan na nij	02/23 18:00
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HIGH RACK		201.84		wa kan ana any		****		
RACK AVG		194.98				تيويف سوسه		
OPIS NYH BAR	GE SPOT	MEAN -	02/23					
FOB NYH BAR	GE	186.650		mi mi un en				
OPIS NYH BAR	GE DELI	VERED SI	POT (SRI) MAIN				
FOB PHILADE		188.35						
OPIS LINDEN		N DELIVI	ERED SPO	T (SRI)				
FOB PHILADE		190.00				anar sana' anat gool		
OPIS GULF CON	AST DEL	IVERED S	SPOT (SR	I)				
FOB PHILADE	LPHIA	190.32	· · · · · · · · ·					
BRD LOW RACK		196.16		·				
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BRD RACK AVG		196.47		ميذعيب أعبرتهم		أيسانسا بسليب		
UED LOW RACK		191.69						
UBD HIGH RACI		201.84						
UBD RACK AVG		194.38						
CONT AVG-02/	24	194.69						
CONT LOW-02/		191.69						
CONT HIGH-02		201,84						





OPIS-3

Attachment A

PHILADELPH	IA,	. PA						2021-02-2	24 16:	59:00 E
				CLOSING						
**0	513	GROSS	5 ULTRA	LOW SULF	UR RED	DYE DIST	ILLATE	PRICES*		
									Move	
		Terms	No.2	Move	No.1	Move	Pre	Move	Date	Time
JEPT		Net	192.14	+ .29	÷*****		, 1999 - 1999		02/23	
Petrocom		Net	192.28	24	400 mm				02/23	
Freepoint		Net	192.75	+ 1.00				·····	02/23	18:00
S.R.& M.		1-10	195.01	+ .84			ani an mi an.	an a	02/23	18:00
Buckeye	U.	1-10	195.70	+ 1.00	1000 - 1000 - 1000 - 1000 - 1000	internation canad maps.		an iir an an	02/23	17:00
luguenot	u	N-10	196.28	+ 4.00					02/24	12:20
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Sunoco	b	125-3	196.74	+ .68		440 \$40° - 100, 500,	we and some ever		02/23	18:00
PBFEnergy	U	Nét	202.34	+ .99		and the with the			02/23	
Petrolube	u	N-15	215.17	+ 1,00	nter, anny mere vene	1990 1980 1987, Aug			02/24	15:43
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IIGH RACK			215.17							
RACK AVG			197.51				سندر يشرحهم			
OPIS NYH B	ARC	E DELI	VERED S	POT (SRI) MAIN					
FOB PHILA	DEI	PHIA	188.70		• . 		سريد بديد			
OPIS LINDE	N	UNCTIC	N DELIV	ERED SPO	T (SRI)					
FOB PHILA			190.35		ي چه و هم و م من من م					
OPIS GULF			· · · · · · · · · · · · · · · · · · ·	SPOT (SR	I •)					
FOB PHILA	· · · ·			···· ,-··	_ಕ - ಕುರ್ಯಾಲ್ಯಾ					
BRD LOW RA			196.66		and the same		nga ana mané ang			
BRD HIGH R		ŧ	196.74		. مېږ مېم د مېغ دمنه		พระ พระ - เหตุโตกร์			
BRD RACK A		•	196.70				lahah dagan yanan jancan			
JBD LOW RA			192.14							
JBD HIGH R		(215.17		بدرجين تسرحين					
JED RACK A		•	197.71		مسر مند شدو مسع					
CONT AVG-0			197.01		سيري المراس					
CONT LOW-0			192.14							
CONT HIGH-			214.17							
TOWI NIGU-	121	64	214.11				thai thi thi			





Attachment A

						2	021-02-:	24 16:3	
			CLOSING			5**			
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		ns HEAT	Move	RD	Move	PRE		Date	Time
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Petrocom	u Net					and have only have		02/23	
Freepoint				(میں میں شہر میں				02/23	
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S.R.& M.			+ ,94			the bits that some		02/23	
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UBD RACK A CONT AVG-0		184.05		ana yang sangang					
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	Tar	ns No.2	Move	Pre	Move	1.5	ima		
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	сĸ			بنوعب عبرعه					
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UED LOW RA UBD HIGH R UBD RACK A CONT AVG-0 CONT LOW-0 CONT HIGH- PHILADELPH **O Freepoint UEPT Petrocom S.R.& M.	ACK VG 2/24 2/24 02/24 IA, PA PIS GR Terr u Net u Net u Net u Net u 1-1	183.05 183.25 183.15 183.47 183.25 183.69 **OPIS DSS ULTRA ms No.2 193.75 194.59 194.60 0 197.16	CLOSING LOW SULF Move + 1.00 + .29 24 + .84	UR WINTE	Move	LLATE P Pre	RICES** Move	Move Date 02/23 02/23 02/23 02/23	Time 18:00 18:00 18:00 18:00
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PHILADELPHIA, PA

OPIS CLOSING BENCHMARK FILE TRA LOW SULFUR PED DYS *** **OPIS GROSS ULTRA LOW SULFUR RED DYE WINTER DISTILLATE PRICES**

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	Terms	No.2	Move	No.1	Move	Pre	Move	Date Time
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UEPT	u Net	195.04	+ ,29		unter (unter super, exter)	ana tair dan ant	adas tada asar jada	02/23 18:00
Petrocom	u Net	195.09	24	ên ni			nes nos jours con-	02/23 18:00
S.R.& M.	u 1-10	197.66	+ .84	. and any state and	سوسيد روشوست	فقرعف أستعب	فيقاطع منعا معارفه	02/23 18:00
Huguenot	u N-10	198.78	+ 4.00	يتعريقه ومغريهم	ayaa ayaan ahaa ahaan		das tar. yar ar	02/24 12:20
PBFEnergy	u Net	204.34	+ .99	्या २००० - २०११ केव	, The providence of the second second second	ins (m. 1996)	an in the	02/23 18:00
Buckeye	u 1-10	تستند ساجد			مەجب مە	198.20	+ 1.00	02/23 17:00
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HIGH RACK		204.34		ana ina ina		198.20		
RACK AVG		197.53		متحاصف المحاصف		198.20		
OPIS NYH B	ARGE DEL	IVERED S	POT (SRI) MAIN				
FOB PHILA		188.70		خذ جديد		190.95		
OPIS LINDE	N JUNCTI	ON DELIV	ERED SPO	T (SRI)				
FOB PHILA	DELPHIA	190.35		مغربهم المجاهر		192.60		
OPIS GULF	COAST DE	LIVERED	SPOT (SR	1)-				
FOB PHILA	DELPHIA	190.67	•			192.92		
UBD LOW RA	CK	194.25		يستب تتك		198.20		
UBD HIGH R		204.34				198.20		
UBD RACK A		197.53		سس تسریب		198.20		
CONT AVG-0		196.86				198.20		
CONT LOW-0		194.25		أسافت أسافت		198.20		
CONT HIGH-		204.34		ani ang marang		198.20		





INSTRUCTIONS TO BIDDERS

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1. Bids on City Contract 22011PW – GASOLINE, HEATING OIL & DIESEL FUEL are due to the Department of Finance, Division of Procurement and Records, 5th Floor, Louis L. Redding City/County Building, 800 French Street, Wilmington, Delaware by 3:00 PM on March 25, 2021. Bids can also be left in the drop box marked "PROCUREMENT" located on the first floor in front of the guard station.

The building is still closed to the public so the bid opening will be visible as a Zoom Meeting.Link:https://zoom.us/j/93438358719?pwd=USs3SVd4b2dQZ2p6ZG9WYXBwTz14QT09Meeting ID:934 3835 8719Passcode:58Ehqa

 Proposals must be in triplicate, sealed in an envelope, and the envelope endorsed "Bid for City Contract
 22011PW - GASOLINE, HEATING OIL & DIESEL FUEL" and addressed to the Department of Finance, Division of Procurement and Records, 5th Floor, Louis L. Redding City/County Building, 800 French Street, Wilmington, Delaware.

3. Any bid may be withdrawn prior to the schedule time for opening of bids or authorized postponement thereof. No bid may be withdrawn within thirty (30) calendar days after the actual opening thereof.

4. <u>The successful bidder</u> will be required to have or obtain an appropriate business license from the Department of Finance, Revenue Division, City of Wilmington, in order to be awarded the contract. Before obtaining a City of Wilmington Business License, all applicants must show proof of a current State of Delaware Business License.

5. The corporation, the successful bidder shall furnish a certificate from the State where it is incorporated, stating that it is a subsisting corporation. The corporation shall also furnish one (1) original and two (2) copies of the excerpts of the corporate minutes, which grant authority to those who sign and attest the contract. The Corporate Seal shall be affixed where signatures are attested.

6. <u>The successful bidder</u> will be required to withhold City of Wilmington Wage Tax from their employees and withheld taxes paid to the City of Wilmington pursuant to the provisions of the Wilmington Wage Tax Law. This law applies to people living and/or working in the City of Wilmington.

7. The U.S. Department of Commerce monitors Procurement transaction made to minority business enterprises by the City of Wilmington. The Minority Business Developments Agency's District Office reserves the right to contact the successful minority bidder and/or subcontractor to confirm any participation in the Procurement process.

8. The successful bidder certifies that they are not listed on the Federal Government, Excluded Parties List System (<u>www.sam.gov</u>). This will be verified by the City of Wilmington and if listed may be grounds for rejection of the bid or proposal.

9. Any person doing business or seeking to do business with the City shall abide by the following <u>Global Sullivan</u> <u>Principles</u>:

- A. Support universal human rights and particularly, those of employees, the communities within which you operate, and parties with whom you do business.
- B. Promote equal opportunity for employees at all levels of the company with respect to issues such as color, race, gender, age, ethnicity, or religious beliefs, and operate without unacceptable worker treatment such as the exploitation of children, physical punishment, female abuse, involuntary servitude, or other forms of abuse.
- C. Respect employee's voluntary freedom of association.
- D. Compensate employees to enable them to meet at least their basic needs and provide the opportunity to improve their skill and capability in order to raise their social and economic opportunities.



- E. Provide a safe and healthy workplace; protect human health and the environment; and promote sustainable development.
- F. Promote fair competition including respect for intellectual and other property rights, and not offer, pay, or accept bribes.
- G. Work with governments and communities in which you do business to improve the quality of life in those communities -- their educational, cultural, economic, and social well-being -- and seek to provide training and opportunities for workers from disadvantaged backgrounds.
- II. Promote the application of these principles by those with whom you do business.

10. Award and Execution of Contract

A. Consideration of Proposals. After the proposals are opened and read, they will be compared on the basis of the summation of the products of the approximate quantities shown in the bid schedule by the unit bid prices, unless the proposals states a different basis for comparing bids. In the event of a discrepancy between unit bid prices and extensions, the unit bid price shall govern.

Before awarding the contract, a bidder may be required to show that he/she has the ability, experience, necessary equipment, experienced personnel, and financial resources to successfully carry out the work required by the contract.

The right is reserved to reject any and/or all proposals, to waive technicalities, to advertise for new proposals, or to proceed to do the work otherwise, if in the judgment of the department the best interest of the City will be promoted thereby.

- B. Award of Contract. The award of the contract, if it be awarded, must be within thirty (30) calendar days after the opening of proposals to the lowest responsible and qualified bidder whose proposal complies with all the requirements prescribed. The successful bidder will be notified by letter mailed to the address shown on his proposals that his bid has been accepted and has been awarded the contract.
- C. Cancellation of Award. The City reserves the right to cancel the award of any contract at any time before the execution of said contract by all parties without any liability against the City.
- D. **Right to Audit.** The City Auditor or his designee shall have the right to audit the contract and any books, documents, or records relating thereto.

Questions should be directed to Phil Ceresini via email at <u>pceresini@wilmingtonde.gov</u>. Questions will not be accepted within 1 week of bid opening.

THIS CONTRACT DOES NOT REQUIRE A BID BOND OR PERFORMANCE BOND.







CITY OF WILMINGTON, DELAWARE

SPECIFICATIONS FOR CONTRACT

GASOLINE / HEATING OIL / DIESEL FUEL

CONTRACT 22011PW

City of Wilmington Department of Public Works February 25, 2021

CITY OF WILMINGTON DEPARTMENT OF PUBLIC WORKS GASOLINE, HEATING OIL AND DIESEL FUEL Contract 22011PW

SPECIFICATIONS:

Petroleum products sold to the City of Wilmington under the Terms and Conditions of this contract will be tested according to the procedures and specifications outlined below. Vendors can bid Wagon Loads, Tanker Loads (8,500), or a combination of both:

Gasoline to conform to the ASTM Designation D439-79 or most current revision thereof: the antiknock requirement for gasoline shall be as follows:

Antiknock IndexEthanol Content /Gal.MinimumMaximum87.0 octane15%

Heating Oil to conform to the ASTM Designation for #2 Heating Oil, D396 or most current revision. The heating oil shall also comply with the requirement of Ultra Low Sulphur 15 PPM maximum. The City will not accept DYED ULSD in lieu of Heating Oil.

Diesel Fuel to conform to the ASTM designation D975 or most current revision for ULSD (12-15 PPM of Sulfur). Suppliers and their sources are prohibited from adulterating the fuel with reclaimed or waste products of any type. The fuel is to be completely distilled materials. That is, the fuel should show at least 98 percent of volume recovery when subjected to ASTM D-86 (or latest version) distillation. Fuel is to be clean and free of contamination of any kind. The cetane number rating must be a minimum of 40 and the final boiling point is to be 675 degrees Fahrenheit. The City will not accept 5% or 2% bio in your diesel.

TERM:

The initial term of this contract shall be July 1, 2021, or as soon as possible thereafter, to June 30, 2022. The City of Wilmington maintains the option to extend this contract for two (2) additional periods of one (1) year each which will run from July 1st until June 30th. Terms and conditions of the contract must remain the same. The City will give 60 days advanced written notice if the contract is to be extended.





PRICING METHOD:

For all fuel products the bidder must complete the proposal form at the end of this document. The delivered price per gallon of Gasoline / Heating Oil / Diesel Fuel will be calculated for each product as follows: the daily OPIS Contract Low Rack price for Philadelphia, PA at 5:00 pm for the day of delivery plus the delivery fee (fixed for the term of the contract) from the proposal form. The City of Wilmington is exempt from Federal and State excise taxes. Additional charges to appear separately on the invoice are:

Federal Leaking Underground Storage Tank (LUST) Fee Federal Oil Spill Recovery Fee **Delaware Hazard Substance Clean**

A copy of the February 24, 2021 OPIS Contract Report for 5:00 pm is attached to this document for reference as Attachment A. Additionally, the base price on the proposal form is derived from the February 24, 2021 report. The prices on the proposal form are for comparison only. Invoiced pricing will fluctuate as detailed above.

ESTIMATED QUANTITIES:

The quantities stated in the attached proposal forms are used as basis of comparison of bids. Actual guantities purchased will be governed by need. The City reserves the right to change, add, or delete delivery locations within the City limits as needed.

TAXES:

The price quoted on all products shall be exempt from Federal, State, or local taxes. Tax exempt certificates will be supplied to the successful bidder(s) (license #21131)

GENERAL:

All Items of this specification shall meet or exceed Federal and /or State regulations with reference to air, water, storage, and pollution regulations. The initial term of this contract will be from date of signed contract to June 30, 2022 with possible extensions as described above.







DELIVERY:

Delivery shall be made to the tanks at several locations, Monday through Friday, between 6:00 a.m. and 6:00 p.m., and anytime when requested for an emergency delivery. When verbally ordered, normal delivery shall be made within 24 hours of receipt of the order.

The successful bidder shall supply a toll-free number where such orders may be placed. Should the successful bidder fail to make delivery of the fuel oil and the diesel or heating oil systems run out of fuel, he shall be liable for all the expenses for the repairs and maintenance to the equipment, including the expense of resetting the pumps restoring burners, cleaning nozzles, and ignition systems. Upon failure to deliver as requested, the City may at their discretion, arrange for another source of fuel oil and the vendor shall be liable for reimbursement to the City for any increase in costs resulting there from.

Emergency deliveries may be requested, and an after-hours delivery charge is to be entered on proposal sheet for this purpose.

Should any fuel delivered prove not to meet the specified standards, the successful bidder shall remove such fuel, replace with specified fuel, and bear the costs of the task. The successful bidder shall remove condensate and other foreign heavy material from the tanks as required, at no additional cost.

METERED DELIVERIES:

All fuel deliveries must be made by trucks equipped with a meter and printed tickets. The printed tickets must indicate readings before and after loading into storage tanks. Copies of the associated delivery tickets are to be sent with the invoices.

AUTOMATIC DELIVERIES:

The Successful Bidder must make automatic deliveries as required based on automatically faxed tank levels supplied daily by the City's Veeder Root System and the future deliveries are to be confirmed in advance with the City's designate by email (designate to be determined at bid award). Successful bidder shall supply a coordinating company contact individual to receive the subject City's tank level faxes. The automatic deliveries pertain to the 1450 New York Ave location fuel site at present but may include other locations later at the discretion of the City. Bidder must take exception to this requirement if compliance is not expected.





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INVOICES:

Vendor shall issue a separate invoice for each location and delivery. Delivery location and purchase order number must show on each invoice along with a copy of delivery sheet and daily OPIS rack price listing used for that day. Invoices, OPIS, and copy of the delivery sheet are to be sent to the Finance Department, Accounts Payable via email to: <u>accountspayable@wilmingtonde.gov</u> and <u>laobohoski@wilmingtonde.gov</u> The invoiced quantity of any delivery must match the corresponding delivered quantity as shown on the metered delivery sheet for that delivery. If the quantities of product, OPIS Contract Low Rack Price Sheet, and delivery ticket do not match, the invoice will be held up for payment until reconciliation is made.

DELIVERY LOCATIONS

GASOLINE SMALL TANK 5000 GALLONS OR LESS

Public Safety Building One

300 N Walnut Street One (1) 3,000-gallon tank (in-ground)

Fire Department:

Old Swedes Landing Road At foot of East 4th Street Bridge One (1) 500-gallon tank (Skid Tank, above ground)

GASOLINE LARGE TANK 5001 GALLONS OR MORE

Motor Vehicle Division: (Supervisor – Leonard Obohoski or designate at 302-576-3073)

Public Works Yard at the City's Municipal Complex 1450 New York Ave. (Enter through gate at 500 Wilmington Ave.) **Gate access code required** One (1) 10,000-gallon, above-ground tank One (1) 12,000-gallon, above-ground tank

HEATING OIL (ULSD) SMALL TANKS 5000 GALLONS OR LESS

Porter Gatehouse 2052 E. Park Drive One (1) 275-Gallon, above ground, 15 PPM USLD heating oil tank.

Porter Filter Plant 2052 E. Park Drive One (1) – 15 PPM ULSD heating oil, above-ground, 5,000-gallon tank



HEATING OIL (USLD) LARGE TANKS 5001 GALLONS OR MORE

Water Department: (Supervisor – Joe Dellose at 302-576-5461)

Brandywine Plant 16th & French Streets One (1)10,000-gallon, vaulted underground storage tank, 15 PPM USLD heating oil

DIESEL FUEL (USLD) SMALL TANKS & GENERATORS 5000 GALLONS OR LESS

Public Works Department:

(Supervisor - Otis Rackley at 302-353-6139)

Public Works Yard at the City's Municipal Complex 1450 New York Ave. (Enter through gate at 500 Wilmington Ave.) **Gate access code required** Two (2) – ULSD, 500-gallon, above- ground tanks (emergency generator tanks)

Water Department:

(Supervisor - Joe Dellose at 302-576-5461)

Porter Filter Plant electrical substation – 2052 E. Park Drive, 19803 One (1) – ULSD, above-ground, 1,200-gallon tank

Porter Filter Plant - Alapocas pump Station - 2052 E. Park Drive, 19803 One (1) - ULSD, 500-gallon tank, above-ground

Kennett Pike – 1125 DuPont Road, 19807 One (1) ULSD, 100-gallon, above ground tank

Hillcrest Pump Station, 503 Hillcrest Avenue, 19809 One (1) ULSD, 100-Gallon, above ground tank

New Castle Pump Station, 4125 New Castle Avenue, 19720 One (1) ULSD, 75-gallon, above ground tank

Cool Springs Station at Gate House, 1001 Van Buren Streets, 19806 One (1) 15 PPM ULSD, 1,000-gallon, in-ground tank





Fire Department:

(Supervisor – Chief John Hoban or designate at 302-576-3151)

Station #3 At 30th and Northeast Blvd. One (1) ULSD, 550-gallon, in-ground tank

Station #2 At New Castle Ave One (1) ULSD, 275-gallon, in-ground tank

Fire Boat Old Swedes Landing Road At foot of East 4th Street Bridge One (1) ULSD 5,000-gallon, tank located on boat at dock

Station #1 At 2nd and West St. One (1) ULSD, 3,000-gallon, above ground tank

Police Athletic League Building:

(Supervisor – Willie Patrick or designate at 302-576-3914) 3707 N Market Street One (1) ULSD, 500-gallon above-ground tank

William Hick Anderson Community Center

(contact – U'Gandi Jacobs, 302-571-4266) 501 Madison Street One (1) ULSD, 500-gallon above-ground tank

DIESEL FUEL (USLD) LARGE TANKS (5001 to 15000 gallons Tank)

Motor Vehicle Division:

(Supervisor - Leonard Obohoski or designate at 302-576-3073)

Public Works Yard at the City's Municipal Complex 1450 New York Ave. (Enter through gate at 500 Wilmington Ave.) Gate access code required Two (2) 6,000-gallon ULSD, above ground, manifolded tanks (automatic delivery)





Site Visits:

Bidders may make arrangements with site supervisors to visit the tank locations before bidding. Questions related to the bids must go to Phil Ceresini, City of Wilmington Purchasing Department via email at <u>pceresini@wilmingtonde.gov</u>

Questions will not be accepted within one (1) week of bid opening date.

The City retains the right to split the award of each item to separate bidders. The City also reserves the right to change or add, delivery locations within the City limits as needed during the term of this contract.

EXCEPTIONS:

Any exceptions submitted to these specifications and attachments must be submitted by the bidder on company letterhead and enclosed with the bid.





Your City of Wilmington Business License is _ Supplier #2008600842 .

This proposal is submitted with the knowledge that the Department of Finance, Division of Procurement and Records, reserve the right to reject any and all proposals when, and in its judgment and is in the best interest of the City of Wilmington to do so.

We, the undersigned, hereby agree to furnish and deliver per the specifications, the items listed below to the City of Wilmington, at various locations between start of contract through June 30, 2022 with possible extensions as described above.

THE CITY RESERVES THE RIGHT TO SPLIT THE AWARD TO MULTIPLE VENDORS.

Gasoline Small Tank 5000 Gallons or Less:

Approximately **10,000** gallons of UNLEADED REGULAR, delivered F.O.B. to locations in Wilmington, Delaware as delivered by **wagon load**.

Estimated Gallons	10.000
OPIS Low Rack (Fabruary 24, 2021)	51.8815
Quoted Delivery Fee per gallon	0.1585
Delivered Cost per gallon	2.0400 (OPIS plus Quoted Delivery Fee)
Total Cost for 20,000 gallons	40,800.00 (Delivered Cost Gallon, multiplied by gallons)





Gasoline Large Tank 5001 Gallons or More:

Approximately **510,000** gallons of UNLEADED REGULAR, delivered F.O.B. to locations in Wilmington, Delaware as delivered by <u>tanker load</u>.

Estimated Gallons	810,000
OPIS Low Rack Phoneny 24, 2021	51.8815
Quoted Delivery Fee per gallon	0.0265
Delivered Cost per gallon	 (OPIS plus Quoted Delivery Fee)
Total Cost for 325,000 gallons	620,100.00 (Delivered Cost Gallon, multiplied by gallons)



Approximately 50,000 gallons of HEATING OIL, ULSD, delivered F.O.B. to locations in Wilmington, Delaware as delivered by <u>wagon load</u>.

Estimated Gallons	50,000
OPIS Low Rack (February 24, 2021)	\$1.8015
Quoted Delivery Fee per gallon	0.1585
Delivered Cost per gallon	1.9600 (OPIS plus Quoted Delivery Fee)
Total Cost for 50,000 gallons	98,000.00 (Delivered Cost Gallon, multiplied by gallons)



Heating Oil Large Tank 5001 Gallons or More:

Approximately 10,000 gallons of HEATING OIL, USLD, delivered F.O.B. to locations in Wilmington, Delaware as delivered by **tanker load**.

Estimated Gallons	10,000
OPIS Low Rack (February 24, 2021)	\$1.8015
Quoted Delivery Fee per gallon	0.0340
Delivered Cost per gallon	1.8355 (OPIS plus Quoted Delivery Fee)
Total Cost for 50,000 gallons	91,775.00 (Delivered Cost Gallon, multiplied by gallons)

Diesel Fuel Small Tank 5000 Gallons or Less:

Approximately **35,000** gallons of Diesel Fuel, USLD, delivered F.O.B. to locations in Wilmington, Delaware as delivered by <u>wagon load</u>.

Estimated Gallons	35,000
OPIS Low Rack (February 24, 2024)	Menn
Quoted Delivery Fee per gallon	0.2100
Delivered Cost per gallon	2.1261 (OPIS plus Quoted Delivery Fee)
Total Cost for 25,000 gallons	53,152.50 (Delivered Cost Gallon, multiplied by gallons)





Diesel Fuel Large Tank 5001 Gallons or More:

Approximately **100,000** gallons of Diesel Fuel, USLD, delivered F.O.B. to locations in Wilmington, Delaware as delivered by **tanker load**.

Estimated Gallons	100,000
DPIS Low Rack Factory 34, 2025	\$1.9161
Quoted Delivery Fee per gallon	0.0430
Delivered Cost per gallon	
Total Cost for 165,000 gallons	<u>323,251.50</u> (Delivered Cost Gallon, multiplied by gallons)





Grand Total: \$1,227,079.00 (Total of all above sections)				
(rola: of an above sections)				
FIRM: James River Solutions Corporation / Partnership / Individual				
PER: Tracy Little Name (Typed or Printed)				
TITLE: President				
ADDRESS: 10487 Lakeridge Parkway, Suite 100				
CITY, STATE, ZIP: Ashland, VA 23005				
PHONE: 804-767-8170				
FAX: 804-359-6307				
EMAIL: bbailey@jrpenergy.com				
FED TAX ID: 32-0135618				
AUTOMATIC DELIVERY CONTACT NAME & TEL #: Customer Service				

PF-5

804-358-9000



Attachment A

Account #249981

To align the following data, change the font size to 9 in Courier New.

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2021-02-24 16:59:00 EST

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PHILADELPHIA, PA

OPIS CLOSING BENCHMARK FILE **OPIS GROSS RFG ETHANOL(10%) PRICES**

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Attachment A

FOB PHILADELPHIA	191.13	194.64	199.90
BRD LOW RACK	189.65	203.46	230.40
BRD HIGH RACK	192.12	207.31	246.81
BRD RACK AVG	191.26	204.69	241.92
UBD LOW RACK	180.38	184.20	190.20
UBD HIGH RACK	186.20	194.20	214.31
UBD RACK AVG	183.57	188.64	197.96
CONT AVG-02/24	187.02	195.33	
CONT LOW-02/24			217.55
	180.38	184.40	190.43
CONT HIGH-02/24	192.12	207.31	246.81
PHILADELPHIA, PA-N	J		
LOW RETAIL	254.17		
AVG RETAIL	283.59		
LOW RETAIL EX-TAX	180.58		
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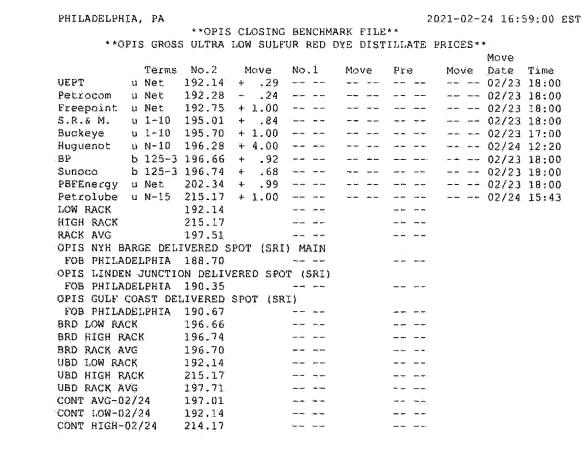




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Attachment A







Attachment A

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DEPARTMENT OF PUBLIC WORKS OPERATIONS DIVISION I Wilmington, Delaware

MEMORANDUM

- TO: Phil Ceresini Purchasing Agent Division of Procurement and Records
- FROM: Leonard A. Obohoski Fleet & Contracts Administrator Department of Public Works

DATE: 26 March 2021

SUBJECT: Contract - 22011PW - Recommendation of award Gasoline, Heating Oil, and Diesel Fuels.

We have reviewed the proposals for the subject specification and tabulate them as follows: (see attached sheet from Procurement)

Bidder:	Bid Amount:
Petroleum Traders	\$ 986,257.50
James River	\$ 998,558.50
Riggins	\$1,003,363.50
PAPCO, Inc	\$1,015,708,50
Carl King Energy Services	\$1,020,250.00
Guttman Energy	\$1,026,885.50
Mansfield Oil	\$1,049,261.00

Note: Did NOT Bid Full Contract

After reviewing the bids, we are recommending the apparent low bidder who bid the contract in its entirety.

James River should be awarded this contract in the total amount of \$ 998,558.50 for the delivery of Gasoline/Heating Oil and Diesel Fuels for the City of Wilmington.

APPROVED:

22

Kelly Williams COMMISSIONER OF PUBLIC WORKS

cc: Vince Carroccia Derek Akbar Marlyn Dietz Phil Ceresini Leonard A Obohoski



CERTIFICATE OF AWARD OF CONTRACT

I hereby certify that Contract No. 22011PW is on this 26th of March 2021 awarded to James River Solutions LLC in the amount of \$998,558.50 as per Proposal dated 3/25/21 and that this award is made in compliance with Wilm. Code (Charter), Section 8-200, to wit:

- 1. Plans and specifications for the work, supplies, or materials were filed with the Department of Finance, Division of Procurement and Records for public inspection on <u>3/4/21</u>.
- 2. The advertisement calling for sealed bids on this contract was published in the <u>News Journal</u> on <u>3/4/21 & 3/11/21</u> stated that bids would be opened at <u>3:00 p.m.</u> on <u>3/25/21</u>
- 3. All sealed bids received were publicly opened in the office of the Department of Finance, Division of Procurement and Records in the presence of the City Auditor and <u>Department not</u> <u>represented</u> desiring to make the purchase at <u>3:00 p.m.</u> on <u>3/25/21</u>. Other persons present at the opening of the bids were: <u>Phil Ceresini</u>, <u>Shawnte Manning & Michael Maldonado</u>
- 4. Bids were submitted by the following contractors in the following amounts.

Contractor	Address	Date of Bid	Amount **
Petroleum Traders	Fort Wayne, IN	3/25/21	\$986,257.50 *
James River Solutions	Ashland, VA	3/25/21	\$998,558.50
Riggins, Inc	Vineland, NJ	3/25/21	\$1,003,363.50
PAPCO, Inc	Aston, PA	3/25/21	\$1,015,708.50
Carl King Energy Services	Dover, DE	3/25/21	\$1,020,250.00
Guttman Energy	Belle Vernon, PA	3/25/21	\$1,026,885.50
Mansfield Oil	Gainesville, GA	3/25/21	\$1,049,261.00

*Did not bid full Contract ** Special Note: The amounts shown here do not match the amount on the proposal forms. There was a discrepancy on the proposal form so all totals were normalized based on unit costs – see attached Spreadsheet.

5. City License Number _____

6. Upon recommendation of **Department of Public Works** and after due consideration, I determined that the contractor to whom this award is made was the lowest responsible bidder. In support of this determination, I have received the following written recommendations, which are on file at my office:

Author

Employment Position

Date

Kelly Williams

Commissioner of Public Works

3/26/21

Department of Finance, Division of Procurement



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James River

JAMES RIVER SOLUTIONS, LLC

CONSENT OF MEMBER IN LIEU OF A SPECIAL MEETING

May 14, 2019

Pursuant to Sections 13.1-1022 and 13.1-1024 of the Code of Virginia of 1950, as amended, the undersigned, being the sole member and manager of James River Solutions, LLC, a Virginia limited liability company, (the "Company"), by unanimous consent without a meeting, do hereby adopt the following resolutions, effective as of the date set forth above:

RESOLVED, that Tracy G. Little is the Sole Member of the Company;

FURTHER RESOLVED, that Amy L. Kelly is hereby removed as Secretary of the Company;

FURTHER RESOLVED, that Bridget Bailey ("Bailey") is hereby elected as Secretary of the Company and that Bailey shall hold such office until her successor is elected and qualifies; and

FURTHER RESOLVED, that this Consent of Member may be transmitted by facsimile machine, that a faxed signature shall constitute an original signature.

MEMBER

Tracy Little, Member

1-15-19

Date



Commonwealth & Hirginia



State Corporation Commission

CERTIFICATE OF FACT

1 Certify the Following from the Records of the Commission:

That James River Solutions, LLC is duly organized as a limited liability company under the law of the Commonwealth of Virginia;

That the limited liability company was formed on December 28, 2004; and

That the limited liability company is in existence in the Commonwealth of Virginia as of the date set forth below.

Nothing more is hereby certified.



Signed and Sealed at Richmond on this Date:

May 11, 2021

Bernard J. Logan, Clerk of the Commission



		MM/DD/YYYY) 5/2021					
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERT CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFOR BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INS EPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER. PORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED pro-	DED BY THE SURER(S), AU	POLICIES ITHORIZED					
If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endor this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).	sement. A st	atement on					
PRODUCER CONTACT Caputo Insurance Agency, Inc.							
Caputo Insurance Agency, Inc. 6824 Big Beaver Blvd	PHONE (A/C, No, Est): 724-843-3020 [A/C, No): 724-843-9475						
PO Box 350 ADDREss: ktress@caputoinsurance.com							
Beaver Falls PA 15010 INSURER(S) AFFORDING COVERAGE		NAIC #					
INSURED JAMERIV-02 INSURE B: General Star Indemnity	INSURER A : GuideOne Mutual Ins. Co.						
JAMES RIVER PETROLEUM INC; EASTERN TRANSPORTATION		37362					
JAMES RIVER SOLUTIONS LLC INSURER D: Safety National Casualty Corporation		15105					
10487 LAKERIDGE PKWY, STE 100 ASHLAND VA 23005		Ma <u>an</u> konnensinnan antara araa ina dara dara ara					
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CITY OF WILMINGTON 800 N FRENCH STREET WILMINGTON DE 19801							
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The ACORD name and logo are registered marks of ACORD

Shawnte R. Manning

sday, May 12, 2021 12:55 PM
e R. Manning; Philip Ceresini
NALJ RE: JRS COntract
1

Categories:

Red Category

Hi Shawnte,

We are an LLC and do not have a corporate seal.

Bridget Bailey JRS Government Project Manager WBENC CERTIFIED p: 804-767-8170 m: 757-375-1525 a: 10487 Lakeridge Parkway, Ashland, VA 23005 W: www.jrpenergy.com [irpenergy.com] e: bbailey@[rpenergy.com]

From: Shawnte R. Manning <srmanning@wilmingtonde.gov> Sent: Wednesday, May 12, 2021 12:53 PM To: Bridget Bailey <BBailey@jrpenergy.com>; Philip Ceresini <pCeresini@wilmingtonde.gov> ubject: RE: JRS COntract Importance: High

EXTERNAL EMAIL: DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe. Good afternoon Bridget,

I received the contract documents today, but we are missing the corporate seal on each contract. I will need each sealed in order to move forward. Can you have this expedited please?

Thanks, Shawnte

From: Bridget Bailey <<u>BBailey@irpenergy.com</u>> Sent: Tuesday, May 11, 2021 3:00 PM To: Shawnte R. Manning <<u>srmanning@wilmingtonde.gov</u>>; Philip Ceresini <<u>pCeresini@wilmingtonde.gov</u>> Subject: [EXTERNAL] RE: JRS COntract

Attached is our Certificate of Fact of Existence / Registration. In Virginia, a certificate of good standing is only issued for a corporation. I have also attached minutes show Tracy as the Sole Member and Manager of James River Solutions and listing me as the Secretary. Thanksl

Bridget Bailey RS Government Project Manager WBENC CERTIFIED p: 804-767-8170 m: 757-375-1525 a: 10487 Lakeridge Parkway, Ashland, VA 23005

---- CONTRACT----

THIS AGREEMENT made the day of in the year Two Thousand Twenty-One and between the City of Wilmington, a municipal corporation of the State of Delaware, acting through the agency of the Department of Finance, Division of Procurement and Records, party of the first part (hereinafter designated the Owner), and James River Solutions party of the second part (hereinafter designated the Contractors)

WITNESSETH, that the Contractor, in consideration of agreements herein made by the Owner, agrees with the Owner as follows:

Article 1. The Contractor shall and will furnish and deliver per specifications, on contract 22011PW "GASOLINE/ HEATING OIL/ DIESEL FUEL" for the Department of Public Works in accordance with Advertisement for Bids by the Department of Finance, Division of Procurement and Records date 3/4/21 & 3/11/21 and specifications identified as Contract No. 22011PW and by the signatures of the parties hereto, are, together with the said Advertisement for Bids, Instructions to Bidders, Forms of Proposal, and/or other documents pertinent thereto, hereby acknowledge and incorporated into these presents and are to be taken as a part of this Contract.

Article 2. It is understood and agreed by and between the parties hereto that the amount of this Contract is in the amount of <u>Nine Hundred Ninety-Eight Thousand</u>, Five Hundred Fifty-Eight and-----50/100 (\$998,558.50) as per Proposal dated 3/25/21 to the Department of Finance, Division of Procurement and Records.

Article 3. In the performance of this Contract, the parties agree that they shall not discriminate or harass, or permit discrimination or harassment, against any person because of age sex, marital status, race, religion, color, national origin, or sexual orientation.

Article 4. This Agreement shall bind the heirs, executors, administrators, successors and assigns to the respective parties hereto.

In witness whereof the party of the first part has, by recommendation of the **Director of Public Works**, caused the hand of **Michael S. Purzycki**, Mayor, and the corporate seal of the City of Wilmington, attested by the City Clerk, to be hereunto affixed; and the party of the second part has caused the hand of its' President, (or his authorized representative) and its' corporate seal, attested by the Secretary or assistant Secretary, to be hereunto affixed.

Dated the day and year first above written in the City of Wilmington, County of New Castle, State of Delaware.

Signed, Sealed and delivered in the presence of:

THE CITY OF WILMINGTON

Witness

By: Michael S. Purzycki, Mayor

ATTEST:

City Clerk

James River Solutions

Bu ent

cretary

Witness