

**STATEMENT OF WORK
FUELS, TANK WAGON DELIVERY
INVITATION TO QUALIFY (ITQ) CONTRACT**

OVERVIEW: The purpose of the Fuels, Tank Wagon Delivery is to qualify responsible and responsive Contractors to provide tank wagon delivery (under 5,000 gallons per delivery) of various liquid fuel types including but not limited to, heating oil, unleaded gas, diesel fuel, kerosene, and bio-fuels to agency locations throughout the Commonwealth. The maximum delivery quantity for this ITQ is 5,000 gallons per delivery. There is no minimum delivery quantity. In addition, Local Public Procurement Units, as defined by the Commonwealth Procurement Code, may use this contract in accordance with the COSTARS Provision contained within this document.

- A. **SPECIFICATIONS:** Qualified Suppliers will be required to furnish the various liquid fuel types in accordance with the most current Pennsylvania Commercial Item Description (PCID) or latest American Society for Testing and Materials (ASTM) Standard as listed below. The current versions of the PCIDs are provided as attachments to this ITQ.
- ULS Diesel Fuel No.2 – PCID No. 1056, entitled “Fuel, Diesel”, effective 3/28/13
 - Bio Diesel Fuel – PCID No. 1107, entitled “Biodiesel Fuel, B100”, effective 3/28/13
 - Red Dye ULS Diesel Fuel No.2 – PCID No. 1056, entitled “Fuel, Diesel”, effective 3/28/13
 - Kerosene, No. 1 – ASTM D3699, Standard Specification for Kerosene
 - Unleaded Gas – ASTM D4814, Standard Specification for Automotive Spark – Ignition Engine Fuel

For any ULS diesel fuel/bio-fuel blends, the bio-fuel shall be injection blended with the diesel fuel. When additive is required, it shall be blended with the diesel fuel or heating oil prior to arriving at the facility’s site.

Contractors shall be compensated only for the quantity and fuel type requested by the using agencies and subsequently awarded with reasonable tolerances for over and under delivery. The Commonwealth will pay for the gross amount of gallons received. No adjustment will be made for temperature, etc.

- B. **ORDER METHOD:** Using agencies will place orders against this contract via the RFQ process using one of two methods. First, agencies may issue a purchase order to the selected supplier for the item and quantity specified and awarded through the RFQ. Secondly, agencies may provide the selected supplier with a Commonwealth VISA Purchasing Card to execute the purchase. In this case, The VISA card is to be charged for the quoted dollar amount for the item and quantity requested in the RFQ.

Using Agencies are required to use the Commonwealth Purchasing Card as the ordering and payment method for all orders against this contract less than the small no-bid threshold (currently \$10,000) unless granted a waiver by the Department of General Services.

Each RFQ and/or order placed using either method specified above will be deemed to incorporate the terms and conditions set forth in this Contract. The Supplier cannot initiate delivery until receipt of either a fully executed purchase order or agency authorization to charge the ordered fuel product to the appropriate Commonwealth VISA Purchasing Card.

- C. **DELIVERY REQUIREMENTS:** Selected Contractors shall deliver fuel within two (2) days after receipt of a purchase order or agency notification for delivery. In an emergency situation, the Supplier

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shall deliver fuel within 24 hours after agency notification of delivery or as otherwise agreed to, by the using agency and the Supplier. Deliveries shall be at the tank inlets at each individual facility for each individual fuel type.

- D. **CERTIFICATION:** The awarded supplier must provide certifications for each delivery of the fuel products listed below:
- Biodiesel fuel (B100), used as blend stock, is derived from virgin soybean, rapeseed, corn or canola oils as specified in the Commonwealth's PCID.
 - Winter blend diesel fuel or biodiesel blends have a cold filter plug point of -15° F or lower.
 - For winter blending, stamp or write "Fuel Additized with _____ at _____ - ratio" on the delivery document. Otherwise, the using agency may not accept delivery.
 - Heating Oil – To demonstrate compliance with the Federal SO₂ Standard, a facility may require a fuel supplier certification that states:
 - "Oil complies with the specification under the definition of distillate oil in §60.41c"
 - Sulfur content or maximum sulfur content of the oil.
- E. **SECURITY CLEARANCE (DEPARTMENT OF CORRECTIONS):** At the Department of Correction's facilities, all awarded suppliers, who utilize regular delivery transportation, will have to submit clearance checks for all drivers and their subcontractor's drivers (regardless if delivery is inside or outside the fence) Common carriers will not be required to render clearance checks, however are subject to search and escort procedures. All carriers reporting to outside warehouses must secure their vehicle (windows closed and doors locked), sign in at warehouse and wait for further directions from correctional staff.
- F. **SPILLAGE:** Accidental release or spillage during delivery of the product by the supplier shall result in the supplier being held responsible for all costs associated with the cleanup and disposal of all contaminated soil. When a spill occurs, the supplier shall immediately notify the Department of Environmental Protection (DEP). Cleanup and disposal must be conducted in accordance with state and federal regulations and guidelines. All spillages must be corrected on an immediate basis to the satisfaction of the using agency and DEP.
- The supplier shall provide constant surveillance during delivery by having a person in attendance at all times at the point of transfer.
- G. **REPORTING REQUIREMENT:** Contractors will be required to provide usage reports for this Contract to the Issuing Office upon request. These reports are to include the following information: Contract number, PO number (if applicable), delivery date, fuel type delivered, quantity of fuel delivered, unit price, total price, ordering agency, and delivery location.

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ISSUING OFFICE: This ITQ is managed and administered by the Commonwealth of Pennsylvania, Department of General Services (DGS), Bureau of Procurement. All inquiries should be referred to:

[Lynn Atkins, Procurement Specialist I](#)
[Department of General Services-Bureau of Procurement](#)
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TERM OF CONTRACT: The term of the Contract shall commence on March 1, 2014 and shall end when terminated by the Commonwealth pursuant to Section 23 of Terms and Conditions, Termination Provisions.

QUALIFICATIONS: Contractors interested in becoming an ITQ Contractor must meet all of the following requirements. Failure to meet any of the below requirements will result in their registration being rejected.

- A. To become a qualified Contractor on this ITQ, Contractors must possess a Liquid Fuel Permit as assigned by the Pennsylvania Department of Revenue, Bureau of Motor Fuel Taxes. As part of the Qualification Process, Contractors will be required to submit a letter on company letterhead with their Liquid Fuel Permit number. Qualified Contractors shall maintain this permit for the duration of the contract term.

MATERIAL CATEGORIES: Contractors will select the appropriate commodity code under the Business Details section of the qualification process. The Commonwealth has attempted to list specific materials under each description. The Commonwealth may add additional commodity codes as the need arises. The table below lists the appropriate commodity code and description of each service category.

COMMODITY CODE	DESCRIPTION OF MATERIAL CATEGORY
15100000-ITQ-132 Bio-Red Dye Diesel Fuel (Heating Oil)	Contractors shall indicate the county or counties in which they are willing to provide Bio-Red Dye Diesel Fuel (Heating Oil).
15100000-ITQ-133 Bio-ULS Diesel Fuel	Contractors shall indicate the county or counties in which they are willing to provide Bio-ULS Diesel Fuel.
15100000-ITQ-134 Red Dye ULS Diesel (Heating Oil)	Contractors shall indicate the county or counties in which they are willing to provide Red Dye ULS Diesel (Heating Oil).
15100000-ITQ-135 ULS Kerosene	Contractors shall indicate the county or counties in which they are willing to provide ULS Kerosene.

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15100000-ITQ-136 ULS Kerosene/Diesel Blends	Contractors shall indicate the county or counties in which they are willing to provide ULS Kerosene/Diesel Blends.
15100000-ITQ-137 ULS Diesel Fuel	Contractors shall indicate the county or counties in which they are willing to provide ULS Diesel Fuel.
15100000-ITQ-138 Unleaded Gasoline	Contractors shall indicate the county or counties in which they are willing to provide Unleaded Gasoline.
15100000-ITQ-139 Unleaded Gasoline/E85 Ethanol Blend	Contractors shall indicate the county or counties in which they are willing to provide Unleaded Gasoline/E85 Ethanol Blend.

TERM OF CONTRACT: The term of the Contract shall commence on March 1, 2014 and shall end when terminated by the Commonwealth pursuant to Section 23 of Part IV, Termination Provisions.

RFQ PROCEDURES: Using agencies shall issue RFQs to Qualified Contractors on an as-needed basis. RFQs will include the product type, quantity, delivery location, and bid response requirements. Request for Quotes may be initiated by facsimile, electronic mail, or by phone depending on the expected dollar value of the order. It is recommended that Commonwealth agencies solicit quotes from each qualified supplier within their respective county. When possible, issuing agencies shall solicit a minimum of three Qualified Contractors for their county on a rotating basis.

Qualified Contractors must submit quotes by the date and time specified for each RFQ to be considered for award. All quoted prices are firm for a minimum of twenty-four hours. All quoted prices shall be FOB Destination and must be inclusive of all transportation, delivery, handling charges, fees, overhead, profit, and any applicable taxes, etc.

Contractors must respond to each RFQ even with only a “No Bid”. Should a Supplier fail to respond to five (5) successive RFQs, the Commonwealth may elect to remove the Supplier from the list of Qualified Suppliers for a particular county or counties.

ADDITIONAL INFORMATION:

- A. **NOTE TO PROSPECTIVE CONTRACTORS:** Qualified Contractors are not required to supply all agency locations within a county. A Contractor may select locations to supply within a county at its discretion by the manner in which it responds to RFQs. A Qualified Contractor makes no firm commitment to deliver supplies until it submits a price in response to an RFQ and is selected as the lowest cost Contractor.