The City of Traverse City

Office of the City Manager

GOVERNMENTAL CENTER
400 Boardman Avenue
Traverse City, MI 49684
(231) 922-4440
(231) 922-4476 Fax

May 2, 2014

Bidder:

The City of Traverse City will receive sealed bids in the Office of the City Manager, Second floor, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, 49684, until **Thursday, May 22, 2014, at 2:00 p.m.** for the following:

Approximately 50,000 gallons of Unleaded Mid-Grade Gasoline without Ethanol
Approximately 25,000 Gallons of #2 Diesel Fuel for Clinch Park Marina
(specifications attached)

If the specifications are obtained from the City's new updated website link at: http://www.traversecitymi.gov/bids_and_rfps.asp, it is the sole responsibility of the Bidder to check the website for updates and addenda prior to the bid being submitted. Bidder may also sign up to receive notifications when bids and RFPs are posted by sending an e-mail requesting same to jdalton@traversecitymi.gov

The City of Traverse City reserves the right to accept or reject any or all bids, waive irregularities, and to accept the bids either on an entire or individual basis that is in the best interest of the City.

The City accepts no responsibility for any expense incurred by the Bidder in the preparation and presentation of a bid. Such expenses shall be borne exclusively by the Bidder.

Only the successful Bidder will be notified. If you so desire, you may call for results.

You must indicate on the outside of the sealed envelope that the bid is for the **"Marina Fuel."**

You must submit **TWO (2) SEALED COPIES** of the bid to the City Manager's Office prior to the above-indicated time and date or the bid will not be accepted. Telefaxed or E-Mail bids will not be accepted.

Please note that if you have previously submitted an informal quote, you will still need to submit a sealed bid prior to the date and time specified above in order to be considered. Please ensure that all requirements listed in the specifications are met.

If you have any questions, please contact Barry Smith, Marina Dockmaster, at (231) 922-4906 before the bid is submitted.

PLEASE SUBMIT BID TO

Julie Dalton, Purchasing Agent
City Manager's Office, Governmental Center
Second Floor, 400 Boardman Avenue
Traverse City, MI 49684

Bidder - Please complete and return

BID SUMMARY

TITLE: Approximately 50,000 gallons of Unleaded Mid-Grade Gasoline without Ethanol
Approximately 25,000 Gallons of #2 Diesel Fuel for Clinch Park Marina

DUE DATE: May 22, 2014 at 2 PM

Unleaded Gasoline: Approximately 50,000 gallons of unleaded mid-grade gasoline without ethanol with a minimum octane rating of at least 89.0 as required by Clinch Park Marina during the 2014 boating season. Delivered on a "Keep-Full" basis to an 8,000 gallon tank, to include a fuel protective lead substitute/conditioner (required). Conditioner must be bulk loaded as gasoline deliveries are made. Specify brand of conditioner. Early AM deliveries a must.

Diesel Fuel, #2: Approx. 25,000 gallons of #2 diesel fuel as required by Clinch Park Marina during the 2014 boating season delivered on a "Keep-Full" basis to a 4,000 gallon tank. Early AM deliveries a must.

Having carefully examined the attached specifications and any other applicable information, the undersigned proposes to furnish all items necessary for and reasonably incidental to the proper completion of this bid. Bidder submits this bid and agrees to meet or exceed all requirements and specifications unless otherwise indicated in writing and attached hereto.

Bidder certifies that as of the date of this bid the Company or he/she is not in arrears to the City of Traverse City for debt or contract and is in no way a defaulter as provided in Section 152, Chapter XVI of the Charter of the City of Traverse City.

Bidder understands and agrees, if selected as the successful Bidder, to accept a purchase/service order and to provide proof of the required insurance.

The Bidder shall comply with all applicable federal, state, local and building codes, laws, rules and regulations and obtain any required permits for this work.

The Bidder certifies that it is in compliance with the City's Nondiscrimination Policy as set forth in Administrative Order No. 47 and Chapter 605 of the City's Codified Ordinances.

The Bidder certifies that none of the following circumstances have occurred with respect to the Bidder, an officer of the Bidder, or an owner of a 25% or more share in the Bidder's business, within 3 years prior to the bid:

(a) conviction of a criminal offense incident to the application for or performance of a contract;

(b) conviction of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense which currently, seriously and directly reflects on the Bidder's business integrity;

(c) conviction under state or federal antitrust statutes;

(d) attempting to influence a public employee to breach ethical conduct standards; or

(e) conviction of a criminal offense or other violation of other state, local, or federal law, as determined by a court of competent jurisdiction or an administrative proceeding, which in the opinion of the City indicates that the bidder is unable to perform responsibility or which reflects a lack of integrity that could negatively impact or reflect upon the City of Traverse City, including but not limited to, any of the following offenses or violations of:

i. The Natural Resources and Environmental Protection Act.

ii. A persistent and knowing violation of the Michigan Consumer Protection Act.

iii. Willful or persistent violations of the Michigan Occupational Health and Safety Act.

iv. A violation of federal, local, or state civil rights, equal rights, or non-discrimination laws, rules, or regulations.

v. Repeated or flagrant violations of laws related to the payment of wages and fringe benefits.

(f) the loss of a license or the right to do business or practice a profession, the loss or suspension of which indicates dishonesty, a lack of integrity, or a failure or refusal to perform in accordance with the ethical standards of the business or profession in question

Bidder understands that the City reserves the right to accept any or all bids in whole or part and to waive irregularities in any bid in the best interest of the City. The bid will be evaluated and awarded on the basis of the best value to the City. The criteria used by the City may include, but will not be limited to: ability, qualifications, timeframe, experience, price, type and amount of equipment, accessories, options, insurance, permits, licenses, other pertinent factors and overall capability to meet the needs of the City. The City is sales tax exempt – Government.

Bidder must state their margin above rack price. Bidder must list branded price or unbranded price gasoline.

Rack price must be from a "major" petroleum supplier, and not a rack price from another jobber. "Major" supplier is deemed any company other than another jobber. In other words, this gasoline cannot be subcontracted out.

Bidder must provide a photocopy of their purchase invoice along with their billable invoice on each delivery so the City can check profit margin on each delivery in accordance with bid price.

Invoices: All invoices shall identify separately the gallons of gasoline, lead substitute, federal

excise tax, Michigan gasoline tax, Michigan UST tax, Michigan prepaid sales tax, Michigan gas tax exemption.

Unleaded Gasoline: Approximately 50,000 gallons of unleaded mid-grade gasoline without ethanol (Rec Gas).

Cost: $_____ per gallon on _____ (date) (includes a fuel conditioner or equivalent plus applicable taxes. Combine all taxes and write in as one total cost per gallon delivered).

Bidder must list price margin over rack price of _____ on all deliveries made during the 2014 season, and must maintain this margin for the life of the purchase/service order. Check one of the following: (Unbranded _____ Branded_____).

Octane level: _____(minimum of 89.0 octane)

Brand of conditioner: _____

#2 Diesel: Approximately 25,000 gallons of dyed off-road diesel

Cost: $_____per gallon on (_____) (date) delivered plus all applicable taxes).

Bidder must list price margin over rack price of _____ on all deliveries made during the 2014 season, and must maintain this margin for the life of the purchase/service order. Check one of the following: (Unbranded _____ Branded_____).

Bidder shall provide all goods under the City's Purchase/Service Orders to the City "Freight on Board" (FOB) Destination or Bidder shall carry broadened auto pollution liability coverage, Form CA 9948, with the City named as additional insured. Bidder shall carry commercial general liability coverage, including products liability coverage, with the City named as additional insured; and Workers' Compensation and Employers' Liability coverage. (See attached insurance requirements).

Bidder agrees that the bid may not be withdrawn for a period of sixty (60) days from the actual date of the opening of the bid.

Submitted by:

_____
Signature

_____
Name and Title (Print)

_____
Phone Fax

_____
Company Name

_____
Company Address

_____
City, State, Zip

_____
Sole proprietorship/partnership/corporation

_____
If corporation, state of corporation