

**Commonwealth of Pennsylvania  
Invitation to Qualify For Fuels, Tank Wagon Delivery**

**PART I – STATEMENT OF WORK**

---

1. **Purpose:** The purpose of this Invitation to Qualify (ITQ) is to qualify responsible and responsive suppliers for the procurement of various liquid fuel types, tank wagon delivery (under 5,000 gallons per delivery) to include, but not limited to, heating oil, unleaded gas, diesel fuel, kerosene, and bio-fuels by various Commonwealth agencies located throughout the Commonwealth.

This ITQ will result in a contract that is the first step of a two-step procurement process. Only those suppliers that respond to this ITQ and that the Department of General Services (“Department”) determines to be qualified (“Qualified Suppliers”) and thus awarded a contract will be eligible to participate in the second step.

The second step involves Requests for Quotes (“RFQ”) to the Qualified Suppliers. Through this two-step process, Commonwealth agencies will offer Qualified Suppliers the opportunity to submit price quotes for their specific fuel type requirements. The Qualified Supplier selected through the RFQ process will provide the specific fuel type according to the specific requirements of the RFQ.

2. **Issuing Office:** This ITQ is issued by the Commonwealth of Pennsylvania, Department of General Services, Bureau of Procurement. The Issuing Office is the sole point of contact in the Department for this ITQ

Jack Banks, Commodity Specialist  
Department of General Services  
Bureau of Procurement  
555 Walnut Street, 6<sup>th</sup> Floor  
Harrisburg, PA 17101-1914  
Phone: (717) 787-6586  
Fax: (717) 346-3820  
E-Mail: [jbanks@pa.gov](mailto:jbanks@pa.gov)

4. **Service Categories:** Each supply category represents a specific fuel type. An interested supplier will select the specified fuel type that he intends to provide and then indicate which counties that he wishes to serve. The specific fuel types are as follows:

- Ultra Low Sulfur (ULS) Diesel
- Bio-ULS Diesel (2% to 20% bio)
- Red Dye ULS Diesel Fuel (Heating Oil)
- Bio-Heating Oil
- ULS Kerosene
- ULS Kerosene/Diesel Blends

- Unleaded Gasoline
- Unleaded Gasoline/E85 Ethanol Blend

The Issuing Office reserves the right to add additional products to the scope of this ITQ at any time. It also reserves the right to add deliveries over 5,000 gallons to the scope of this ITQ.

Suppliers may add or drop any fuel type or county for delivery within the scope of the contract from its initial proposal by submitting a written request to the Issuing Office. Written requests should include the type of fuel and /or counties to be added or dropped.

5. **Addenda to ITQ:** If it becomes necessary to revise any part of this ITQ, an addenda will be executed and posted to the Department website, [www.emarketplace.state.pa.us](http://www.emarketplace.state.pa.us)
6. **Alternate Proposal:** The Department will not accept alternate proposals. Alternate proposals are those that are provided in a form other than that specified by the Department. The Department will not accept proposals wherein a supplier alters any of the forms provided in the application.
7. **Rejection of Proposals:** The Department reserves the right to reject any and all proposal received as a result of this ITQ.
8. **Incurring Costs:** The Department is not liable for any costs or expenses incurred in the preparation and submission of a proposal.
9. **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
10. **Definitions:** The following definitions apply to the words and phrases used in this Part.

**Request for Quotes (RFQs):** The RFQ is a description of the required product or products which provides Qualified Suppliers with sufficient information to enable them to prepare and submit quotes.

**Contract:** The contract executed as a result of this ITQ.

**Supplier:** The Qualified Supplier (s) selected as a result of the RFQ to furnish various liquid fuel types to meet the requirements of the using agencies.

11. **RFQ Procedures:** Using agencies initiate a Request for Quotes to Qualified Suppliers which includes, but not limited to, the product type, quantity, delivery location, other special terms and conditions, and bid response requirements. Request for Quotes are initiated on an as need basis through facsimile, electronic mail, or 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, as a minimum, should solicit three qualified suppliers on a rotation basis. For written quotes, a sample RFQ Form will be provided as an attachment to the contracts.

Suppliers 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, and must be submitted in accordance with the special terms and conditions of the RFQ, if any. Quoted prices must be inclusive of all transportation, delivery, handling charges, fees, overhead, profit, and any applicable taxes, etc.

Supplier 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.

12. **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.

13. **Deliveries:** Supplier shall deliver fuel within two (2) days after receipt of a purchase order or agency notification for delivery. In an emergency situation, the Supplier 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.

The maximum quantity for tank wagon delivery is 5,000 gallons per delivery. There is no minimum delivery quantity.

14. **Delivery Notes:**

- a. When additive is required, it shall be blended with the diesel fuel or heating oil prior to arriving at the facility's site.
- b. For any ULS diesel fuel/bio-fuel blend, the bio-fuel shall be injection blended with the diesel fuel.
- c. The Commonwealth will pay for the gross amount of gallons received. No adjustment will be made for temperature, etc.

15. **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 SO<sub>2</sub> 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.

**16. 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.

**17. Spillage:**

Accidental release or spillage during delivery of the product by the supplier shall result in the supplier being held responsible for all cost 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.

**18. Contractor Duties:**

- a. The Supplier shall be compensated only for the quantity and fuel type requested by the using agencies and subsequently awarded.
- b. It is understood that prices quoted and awarded are at FOB destination.
- c. Materials must conform to the specifications provided herein and incorporated into the Contract.
- d. Supplier 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, delivery date, fuel type delivered, quantity of fuel delivered, unit price, total price, ordering agency, and delivery location.