



Notice of Addendum No.1

Date of Addendum No.1: May 31, 2023

Arlington Public Schools
Procurement Office

Invitation to Bid 128FY23

Invitation to Bid Title: Off Road Ultra Low Sulfur Diesel Fuel for Generators

Invitation to Bid Number: 128FY23

Invitation to Bid Issue Date: May 09, 2023

Pre-Bid Conference: A Pre-Bid Conference will not be held for this Solicitation

Bid Closing Date/Time: June 05, 2023, No Later Than 11:59 P.M. (Local Prevailing Time)

Bid Opening Date/Time: June 06, 2023, at 10:00 A.M. (Local Prevailing Time)

Procurement Office Representative: Carolina Sorto, Procurement Specialist
(703) 228-6193, carolina.sorto@apsva.us

• **Modifications to the ITB:**

Modification to the ITB: The following modifications are made to ITB 128FY23 through Addendum No. 1. Modification is highlighted in **red** for additions and **black** for deletions.

Q1. What constitutes “Critical Response Service”?

A1. Critical Response Service constitutes weather or regional emergency requests has been added to the Scope of Work and Pricing Schedule (Please see changes reflected in the attached Scope of Work and Bid Form).

Q2. Should a Flat Emergency Fee be added to the pricing schedule?

A2. A Flat Emergency Fee has been added to the Scope of Work and Pricing Schedule (Please see changes reflected in the attached Scope of Work and Bid Form).

Scope of Work

1. Purpose:

The Contractor shall deliver **Off Road Ultra Low Sulfur Diesel Fuel for Generators** with a maximum 15ppm low sulfur content (content <0.000015%), on an as requested basis within two (2) business days of notification for a standby delivery. Deliveries will be made to multiple fixed generators at the APS locations listed in Appendix 4. Orders will be placed via phone or by purchase order.

2. Critical Response Service:

2.1. The Contractor shall provide "on-call" Critical Response service (**weather or regional emergency requests**), twenty-four (24) hours per day, seven (7) days per week. The Contractor shall arrive at the job site within eight (8) hours of notification of a Critical Response service. Rates for Critical Response service will be reimbursed at the Critical Response service rate listed on Pricing Schedule. The Contractor shall provide an emergency phone number assigned to a Critical Response service callback to APS for service required after regular business hours. This number shall be monitored and responded to by the Contractor, twenty-four (24) hours a day, seven (7) days a week.

2.2. **A flat Emergency Fee may be charged due to the failure of APS to place an order on a timely basis that is not a weather or regional emergency request.**

3. Pricing:

3.1 The price of the fuel will be based on the Oil Price Information Service (OPIS) price for “Unbranded Average Fairfax, VA” weekly posting for the week the delivery occurred plus the per Gallon Delivery Charge.

3.2 Additional Delivery Charge: An Additional Delivery Charge will be allowed when a trip request is less than 200 gallons per trip.

4. Historical Information:

APS Total usage during 2020 to present is approximately 64,000 gallons. A chart showing dates and estimated quantities delivered is in Appendix 5.

5. Personnel:

5.1. The Contractor’s personnel assigned to any resulting Contract shall be equipped with all tools required to perform the job.

5.2. The Contractor shall have sufficient tradesmen available to perform all assigned work under any resulting Contract.

5.3. If any person employed on the work by the Contractor shall appear to the APS Project Officer to be incompetent or to act in a disorderly or improper manner, such person shall be removed immediately on the request of the APS Project Officer and shall not again be re-employed (on subject project) except on written consent of the APS Project Officer.

5.3.1. Alcoholic beverages and illegal drugs are prohibited on the job site. Possession of any of these items on the job site by a Contractor’s employee will result in immediate removal of the individual from the site.

5.3.2. The use of tobacco is prohibited on APS property by anyone at any time.

5.4. APS reserves the right to reject any of Contractor's service personnel who, in APS' judgment, are not adequately qualified to perform the work.

5.5. A Contractor’s vehicle parked at an APS site other than in a parking space or at on-street parking will be clearly labeled with the Contractor’s name.

5.6. When entering any APS building, the Contractors’ employees shall have picture identification. Identification shall include employees' photograph and name. The Contractor’s employees are required to check-in at each location

with the Main Office or the Building Manager when reporting to the work site. Prior to leaving a site, the Contractor's employees will also be required to check-out with the Main Office and/or the APS Project Officer.

End of Scope of Work

Bid Form

**Arlington Public Schools
Procurement Office**

Invitation to Bid Title: **Off Road Ultra Low Sulfur Diesel Fuel for Generators**

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Invitation to Bid Issue Date: **May 09, 2023**

Bid Closing Date/Time: **June 05, 2023, No Later than 11:59 P.M. (Local Prevailing Time)**

Bid Opening Date/Time: **June 06, 2023, at 10:00 A.M. (Local Prevailing Time)**

Full Legal Name of Bidder _____

Remittance Address (If different):

Address _____

Phone: (_____) _____ Date: _____

Tax ID Number (EIN/SSN): _____

Email Address: _____

General Instructions:

The Bidder is directed to review the Bid Documents and all Contract Documents to understand the requirements for submitting a responsive Bid. All Bids must be submitted on this **Bid Form** or a copy thereof as defined in the Instructions to Bidders. All blanks in this Bid Form must be completed or noted as not applicable. A notation of “not applicable” or “N/A” shall be used only if the information requested is not a required or mandatory element of the Bid. Include only one (1) price for each line item for which a price is required. A person authorized to bind the Bidder in contractual matters must sign the Bid Form. Failure to comply with these requirements, or with any other requirements stated as mandatory either in the Invitation or in the Instructions to Bidders, shall result in rejection of the Bid as non-responsive unless, in the sole discretion of APS, the omission does not affect price, quantity, quality or time. The Owner has no authority to waive failure to comply with requirements made mandatory by applicable law.

A Bid not received prior to the Bid Closing as defined in the Invitation will not be considered. The time a Bid is received shall be determined as stated in the Invitation.

The apparent low Bidder(s) will be determined by the Bid Evaluation Total set forth in the Bid Evaluation Formula.

Bid Form

Payment Terms:

APS requires that a minimum of thirty (30) Days after receipt of an approved invoice by APS shall be allowed for payment. Discounts for prompt payment **will not** be considered in the evaluation of Bids nor in any decision to award or not to award. However, any offered discount will become part of any Contract with Bidder which may result from this solicitation and will be taken if payment is made within the discount period offered in the Bid. In connection with any discount offered for prompt payment, time shall be computed from the date of the invoice. For the purpose of earning the discount, payment shall be considered to have been made on the date that appears on the payment check or the date on which an electronic funds transfer for the payment was made. If Bidder provides a prompt payment discount, the terms thereof are as follows:

Prompt Payment Terms: _____
(Please Note: COD Terms are not acceptable.)

Receipt of Addenda:

Receipt of Addenda listed below is acknowledged and the Bid incorporates all requirements of these Addenda:

No. _____ Date _____ No. _____ Date _____ No. _____ Date _____

Check which of the Following Categories are Applicable to Bidder:

All categories appearing below are as defined in Va. Code Ann. § 2.2-4310

Small Business	Yes	_____	No	_____
Women Owned Business	Yes	_____	No	_____
Minority Owned Business	Yes	_____	No	_____
Service Disabled Veteran Owned Business	Yes	_____	No	_____
Employment Service Organization	Yes	_____	No	_____
None of the Above		_____		

References:

The Bidder must provide at least three (3) commercial or public body references which demonstrate satisfactory performance on past and current Contracts of a similar size, nature, and number of locations. All references must be for work performed within the last three (3) years preceding Bid Closing. For commercial references, provide the firm name, contact name, telephone number, and email address. For public body references, include the same information but instead of the firm name include the public body and the department or agency with which the Bidder contracted. The required information shall be included in the spaces below:

<u>Name of Commercial/Public Body</u> <u>Department.</u>	<u>Contact Name</u>	<u>Telephone Number</u>	<u>Email Address</u>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

Bid Form

Type of Business:

Indicate by placing a check here if a Faith-Based Organization as described in Va. Code Ann. § 2.2-4343.1.

Arlington Public Schools does not discriminate against Faith Based Organizations. The purpose of requiring this information is to permit APS compliance with Va. Code Ann. § 2.2-4343.1.H.

Check one of the Following:

_____ Individual Trading in Own Name

_____ Individual Trading Under Trade Name

_____ Partnership

_____ Limited Partnership

_____ Corporation

_____ Limited Liability Company

_____ Registered Limited Liability Partnership

_____ Joint Venture

_____ Other (explain in the space available or indicate an incorporated attachment if additional sheets are necessary)

If doing business under a trade name, both the legal name of the Bidder and the doing-business-as trade name shall appear as the party submitting this Bid in the signature section below. If the Bidder is a joint venture, all members of the joint venture shall sign the Bid Form.

State Corporation Commission (SCC) Identification Number:

Section 3 of the Instructions to Bidders and § 2.2 4311.2 of the Virginia Public Procurement Act (VPPA) require the Bidder to be authorized to transact business in the Commonwealth of Virginia as a domestic or foreign business entity if so required by Title 13.1 or Title 50 or as otherwise by law. The Bidder shall include in its Bid the identification number issued to it by the State Corporation Commission (SCC). For more information on how the SCC can expedite a request for an identification number, please contact the SCC at (www.scc.virginia.gov) or the Clerk's office at 1-804-371-9733.

Please complete the following by checking the appropriate line that applies and providing the requested information:

1. _____ Bidder is a Virginia business entity organized and authorized to transact business in Virginia by the SCC. The Bidder's identification number issued by the SCC is _____. *(The SCC number is NOT your federal tax Identification number nor your eVA registration number).*
2. _____ Bidder is an out-of-state (foreign) business entity that is authorized to transact business in Virginia by the SCC and such Bidder's identification number issued to it by the SCC is _____.
3. _____ Certain limited business activities, however, are specifically excluded from the definition of "transacting business" The Offeror does not have an identification issued to it by the SCC and such Offeror is not required to be authorized to "transact business" in Virginia by the SCC for the following exclusion(s). Exclusion(s) can be found at <https://www.scc.virginia.gov/clk/befaq/forinva.aspx#a2>.

Please attach additional sheets to explain in further detail why such Bidder is not required to be authorized to transact business in Virginia. Bids that fail to submit supporting details regarding option 3 above may be considered non-responsive by APS.

Bid Form

Debarment Status:

The Bidder shall indicate, in the space provided below, whether or not it, or any of its principals, is/are currently debarred from submitting bids or proposals to Arlington Public Schools, Virginia, to any Virginia state agency or department, to any Virginia public body, or to any other public body at the federal, state or other level in any other state, and whether or not it is an agent of any person or entity that is currently debarred from submitting bids or proposals due to any of the above. An affirmative response may be considered grounds for rejection of the Bid. This statement shall also apply to any Subcontractor(s) the Bidder intends to use in the performance of a resulting Contract. If the Bidder answers yes to any of the following, on a separate attachment, state the person or entity against whom the debarment was entered, give the location and date of the debarment, describe the project involved, and explain the circumstances relating to the debarment, including the names, addresses and phone numbers of persons who might be contacted for additional information.

Please mark one:

- Yes No, Is the Bidder, or any officer, director, project manager, procurement manager, chief financial officer, partner or owner currently debarred from doing federal, state or local government work for any reason?
- Yes No, Has the Bidder, or any officer, director, project manager, procurement manager, chief financial officer, partner or owner ever been debarred from doing federal, state or local government work for any reason?

Criminal Conviction Certificate Compliance:

Attached to this Bid Form as Appendix 1 and incorporated herein is the Contractor Certification Regarding Criminal Convictions as addressed in the section of the Instructions to Bidders captioned "Certification Regarding Criminal Convictions." Bidder acknowledges and agrees that if it does not include the executed Appendix 1 Contractor Certification Regarding Criminal Convictions as a part of its Bid its Bid shall be deemed non-responsive

Number of Years in Business:

How many years has the Bidder been in the business of providing the Work? _____

How many years has the Bidder been in business under its present business name? _____

Mandatory Requirements:

Class 1 Mandatory Requirements

As a Class 1 Mandatory Requirement, the following documents are attached to and made part of this Bid:

1. Completed Bid Form.
2. If the Bidder is a joint venture, a copy of the written joint venture agreement.
3. If the Bidder is a partnership, a copy of the written partnership agreement.
4. Completed Appendix 1 – Contractor Certification Regarding Criminal Convictions.

Class 2 Mandatory Requirements

The following documents are Class 2 Mandatory Requirements and are: (Please complete the following by checking the appropriate line that applies to providing the requested information)

- a. _____ attached to and made a part of this Bid, Or
- b. _____ will be supplemented in compliance with the provisions of Paragraph 27.2 of the Instructions to Bidders:
1. Pricing Schedule at Appendix 3 in its original Excel format
 2. A completed Insurance Coverage Checklist evidencing the coverages set forth in the Terms and Conditions.

Bid Form

Pricing Schedule

FOR INFORMATION ONLY.

BIDDERS ARE REQUIRED TO COMPLETE THE EXCEL PRICING SCHEDULE AT APPENDIX 3

Pricing entered is for F.O.B. destination on an as needed basis, delivered in Arlington County, Virginia. Award will be made to a minimum of one (1) Bidder who is responsible and provides the lowest responsive Bid Evaluation Total. A price must be entered for each item to be considered for award. If there is a variance between a Unit Price and the Extended Price, the Unit Price will prevail.

The Bidder understands and agrees that the quantities listed in the Excel Pricing Schedule at Appendix 3 are for evaluation purposes only and APS is under no obligation to buy any amount as a result of having being awarded a Contract.

The Pricing Schedule form below is for informational purposes only. Do not use this form to complete your Bid. Bids must be completed using the Pricing Schedule at Appendix 3 and uploaded into the Platform with the Bid Form.

ITEM No.	DESCRIPTION	UNIT OF ISSUE	DELIVERY CHARGE	ESTIMATED QUANTITY	EXTENDED PRICE
1	Standby Delivery Charge: Off-Road, Ultra Low Sulfur (Content< 0.000015%) Diesel Fuel to be Delivered Within two (2) business days of Notification.	Gallons	OPIS + _____ per Gallon Delivery Charge	61,900	
2	Critical Response Service Emergency Delivery Charge: (Weather or Regional Emergency supply requests) Off-Road, Ultra Low Sulfur (Content< 0.000015%) Diesel Fuel to be Delivered Within 8 Hours of Notification	Gallons	OPIS + _____ per Gallon Delivery Charge	1,100	
3	Additional Delivery Charge: Additional Delivery will be allowed when a trip request is less than 200 gallons per trip.	Each	\$	8	
4	Flat Emergency Fee:	Each	\$	3	
Bid Evaluation Total (Items 1 – 3)					

Bid Form

Bid Evaluation Formula

The award, if made, will be to a minimum of one (1) Bidder who is responsible and provides the lowest responsive Bid Evaluation Total. A price must be entered for each item to be considered for award. If there is a variance between a unit price and the extended price, the unit price will prevail.

If APS deems it necessary or in its best interests to make award to more than one (1) Bidder, the additional awards will be made to responsible Bidders submitting responsive Bids in ascending order starting with the second (2) lowest Bid Evaluation Total and continuing until, in the sole discretion of APS, sufficient awards have been made to fulfill the anticipated requirements. In the event multiple awards are made, no minimum percentage of the Work is guaranteed to any Contractor. When multiple awards are made, preference will be given to the Bidder submitting the lowest Bid Evaluation Total in ordering performance, subject to the reasonable discretion of APS in achieving prompt, efficient and acceptable performance.

Pricing listed below must match the pricing entered in the Pricing Schedule at Appendix 3 from Cell F13 in the Bid Evaluation Total tab.

Bid Evaluation Total	In Figures	\$ _____
	In Writing	_____ Dollars

Bid Form

In compliance with the Bid Document and subject to all conditions thereof and attached hereto, the undersigned offers and agrees, if this Bid be accepted within ninety (90) Days from the date of Bid Opening, to enter into a Contract with the Owner in the form of the Agreement included as part of the solicitation on the terms of this Bid and to furnish any and all of the items upon which the prices are quoted, at the price set opposite each item, delivered at the points as specified and as scheduled in any Purchase Order issued by Owner.

My signature certifies that the Bidder has no business or personal relationships with any other companies or persons that could be considered as a conflict of interest or potential conflict of interest to APS, and that there are no principals, officers, agents, employees, or representatives of the Bidder that have any business or personal relationships with any other companies or persons that could be considered as a conflict of interest or a potential conflict of interest to APS, pertaining to any and all Goods, or Services to be purchased or performed relating to any Contract with APS resulting from this solicitation and Bid.

Submission of this Bid constitutes an offer which, if accepted by APS as provided in the Bid Documents, binds the Bidder to execute and perform the Contract. If Bidder refuses to execute and perform any Contract awarded to Bidder by APS in response to this Bid, Bidder is liable to APS for the cost of reprourement and for any increased cost in obtaining the Goods or Services which are the subject of this Bid.

Signature: _____
(Person signing must be authorized to bind the Bidder in contractual matters)

Name: _____
(Type or Print)

Date: _____

Title: _____

[Add additional signature blocks as necessary to comply with the requirements of the Invitation, the Instructions to Bidders, or this Bid Form.]

End of Bid Form