

PROCUREMENT DEPARTMENT
Rm 120 Municipal Services Building
Philadelphia, PA 19102-1685
FAX: (215) 686-4716

CITY OF PHILADELPHIA

Hugh Ortman
Procurement Commissioner

April 4, 2013

BID NUMBER: S4Z59670
TITLE: RFG Gasoline and Bio Diesel Fuel (5%)
DEPARTMENT: VARIOUS
DATE TO OPEN: April 15, 2013 at 10:30 AM

ADDENDUM # 1

TO ALL BIDDERS:

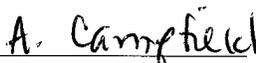
You are hereby notified of the following changes to the above mentioned bid:

Pages 18-19, Paragraph 2.17.7

The following sentences are hereby incorporated into Paragraph 2.17.7 of the Invitation and Bid.

Vendor must gravity feed into tank. Pumping will not be allowed.

Please sign, date and return this addendum with your bid to the Procurement Department, 1401 J.F.K Boulevard, Bid Room 170A, Philadelphia, PA 19102-1685 as it now becomes a part of the proposal.


A. Campfield, Buyer

AUTHORIZED SIGNATURE

FIRM NAME (PRINT)

DATE

AC/im

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CITY OF PHILADELPHIA

Hugh Ortman
Procurement Commissioner

April 5, 2013

BID NUMBER: S4Z59670
TITLE: RFG Gasoline and Bio Diesel Fuel (5%)
DEPARTMENT: VARIOUS
DATE TO OPEN: April 15, 2013 at 10:30 AM

ADDENDUM # 2

TO ALL BIDDERS:

You are hereby notified of the following changes to the above mentioned bid:

Find Attached:

- 1) Questions and Responses
- 2) Attachment "A" – Bid Bond

Please sign, date and return this addendum with your bid to the Procurement Department, 1401 J.F.K Boulevard, Bid Room 170A, Philadelphia, PA 19102-1685 as it now becomes a part of the proposal.

A. Campfield
A. Campfield, Buyer

AUTHORIZED SIGNATURE

FIRM NAME (PRINT)

DATE

AC/im

Question #1

Page 1 of Bid No. S4Z59670 states the Bid Opening Date and Time as April 15, 2013 at 10:30 am. From the date of release, this time frame allows potential bidders only three weeks to produce a bid that meets all the City's requirements. As Section 1.3 Contract Term specifies "07/01/2013 to 06/30/2014", we request that the Bid Opening date to be set for April 22, 2013.

Early April is a time of year when many company personnel take vacation around religious holidays and school spring breaks. We believe that extending the Bid Opening Date by one week to April 22, 2013, potential bidders will have sufficient time to prepare a bid and as the contract term does not begin until July 1, 2013, the City will have sufficient time to review bids and prepare for a change in fuel suppliers.

Answer:

The Bid Opening Date shall remain as scheduled.

Question #2

Section 2.2 Footnotes #4 of Bid No. S4Z59670 states "All Bio-Diesel Stock must be soy based". We are writing to request the amendment of this stipulation.

The ASTM standard for bio diesel, ASTM D5/51, allows for biodiesel to be produced from various feedstocks as it does not specify a feedstock type. By maintaining this neutrality in the standard, producers, distributors, and end users are able to cope with fluctuations in the feed stock markets while still meeting quality and low temperature operability standards. This neutrality is also reflected in the Commonwealth's biodiesel mandate for on road diesel fuel (73 P.S. § 1650.3 Biodiesel content in diesel fuel sold for on-road use).

We request that Section 2.2 Footnotes #4 of Bid No. S4Z59670 be amended to state "Bio-Diesel feedstock is neutral". This is consistent with the City's prior biodiesel (Bid No. S8Z53730) and will reflect the feedstock neutrality consistent with ASTM D6751 and 73 P.S. § 1650.3.

Response:

The City shall change footnote #4 of section 2.2 to read:

Feedstock shall be from virgin soybean, rapeseed, corn oil, or canola oils. This description of feedstock follows the State of Pennsylvania commercial item description for Biodiesel fuel (B100).

Question #3

Section 5: Pricing of Bid No. S4Z59670 states "The Ultra Low Sulfur Diesel #2 with 5% Bio Content shall be determined by the OPIS PADD1 report, Daily, Effective Date (1/24/2013), Philadelphia, PA. ULS2 SME 5% Biodiesel Gross +/- Differential Price offered by the Bidder". But it does not specify a rack price. We are writing to request the amendment of this stipulation.

The price for "Reformulation Gasoline with 10% Denatured Fuel Ethanol" states the price will be determined by the OPIS PADD1 Report, Average Rack". We request that the ULSD pricing section to be amended to also specify "Average Rack".

Response:

Section 5, Pricing shall remain as stated.

ATTACHMENT A

CITY OF PHILADELPHIA

BID BOND

CITY OF PHILADELPHIA



BID BOND

FOR CITY OF PHILADELPHIA BID NUMBER: _____
(Please Fill In)

KNOW ALL MEN BY THESE PRESENTS, THAT WE _____
_____ as Principal
(hereinafter called the "Principal Obligor"), and

_____ (as Surety) are jointly and severally held and firmly bound unto The City of Philadelphia, in the sum of **TEN PERCENT (10%) OF THE GROSS AMOUNT OF THE BID** lawful money of the United States of America, to be paid to the said City of Philadelphia, its successors and assigns; to which payment, well and truly to be made we do bind ourselves and each of us, our and each of our successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated the _____ day of _____ two-thousand and thirteen (2013).

WHEREAS the above bounded Principal Obligor, submitted a bid pursuant to the above-referenced bid number to provide certain goods, services, or equipment to the City of Philadelphia.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, That if the City of Philadelphia shall accept the bid of the Principal Obligor and the Principal Obligor shall enter into a contract with the City in accordance with the terms of such bid, and furnish such bond or bonds as are specified in the bid documents with good and sufficient surety, for the faithful performance of the contract; or in the event of the failure or refusal of the Principal Obligor to enter into such contract and give such bond or bonds, if the Principal Obligor shall pay to the City the difference between the amount specified in said bid and such larger amount for which the City may legally contract with another party to provide the goods, services, or equipment required by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

And for the doing of these acts this instrument or a copy thereof attested as aforesaid shall be full warrant and authority.

CORPORATE SEAL:

PRINCIPAL OBLIGOR:

President/Vice-President (SEAL)

Secretary/Treasurer (SEAL)

SURETY SEAL:

SURETY:

Attorney-In-Fact (SEAL)

INSTRUCTIONS:

- (1) ALL VENDORS MUST UTILIZE THIS BID BOND FORM WHEN SUBMITTING A BID TO THE CITY.
- (2) IF PRINCIPAL OBLIGOR IS AN INDIVIDUAL OR PARTNERSHIP, BID BOND SHOULD BE SIGNED BY OWNER OR AUTHORIZED GENERAL PARTNER. PLEASE IDENTIFY ON THE BID BOND THE TYPE OF BUSINESS (E.G. INDIVIDUAL PROPRIETORSHIP OR PARTNERSHIP) AND TITLE OF PARTY EXECUTING THE BID BOND.
- (3) BID BOND MUST BE EXECUTED BY A SURETY COMPANY DULY AUTHORIZED AND LICENSED TO ACT AS SURETY BY THE PENNSYLVANIA INSURANCE COMMISSIONER PURSUANT TO THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA.