

CITY OF NORTH CANTON



**DIRECTOR OF ADMINISTRATION
BID SPECIFICATION PACKET FOR
GASOLINE AND DIESEL FUEL**

BIDS DUE

FRIDAY, May 16th, 2014

11:00 A.M.

**DAVID J. HELD
MAYOR**

**MICHAEL J. GRIMES
DIRECTOR OF ADMINISTRATION**

LEGAL NOTICE

Sealed bids will be received by the Board of Control of the City of North Canton, Ohio, at the office of the Director of Administration, 145 North Main Street, North Canton, Ohio, until **11:00 A.M., May 16th, 2014, for the purpose of entering into a contract to purchase Gas and Diesel Fuel for all City Vehicles** authorized by Ordinance No. 7-14 passed by City Council on January 13, 2014.

Detailed specifications and bid forms may be obtained from the office of the Director of Administration or from the City of North Canton's web site at <http://northcantonohio.gov/economic-development/notice-to-bidders/>.

Each bid must contain the full name of each person, firm, company or corporation interested in the same.

The Board of Control reserves the right to reject any bid or any part or parts thereof and all bids and to waive any informality therein.

BY ORDER OF:

Michael J. Grimes
Director of Administration

Published in *The Canton Repository*

Thursday, April 24 and Thursday, May 1, 2014

EEO/AFFIRMATIVE ACTION STATEMENT

The City of North Canton pledges to provide equal opportunity with regard to race, color, creed, national origin, sex, or age. This pledge applies to all employees and applicants for employment in connection with hiring, placement, upgrading, transfer, or demotion; recruiting, advertising, or solicitation for employment; treatment during employment; rates of pay or other forms of compensation; selection for training; layoff or termination of employment.

The City of North Canton pledges to provide equal opportunity with regard to race, color, creed, national origin, sex, or age to all interested bidders who submitting a bid for said City.

This statement is made in accordance with Title VI of the Civil Rights Act of 1963, Executive Order 11246, dated September 24, 1965, and Executive Order 11375, dated October 13, 1969.

STATE of _____)
)SS
COUNTY of _____)

A F F I D A V I T

_____ being duly sworn says that he is _____
of _____, the successful bidder, and that as of **May**
16th, 2014, the date of submission of the bids, the bidder;

Please circle whichever of the following is applicable.

1. was not charged with any delinquent personal property taxes on the
general tax list of personal property of Stark County, Ohio

or

2. was charged with delinquent personal property taxes on the general tax list of personal
property of Stark County, Ohio – in the amount of \$ _____; together with unpaid
penalties and interest of \$ _____.

This affidavit is submitted in compliance with Section 5719.042 of the Ohio Revised Code.

Signed _____
NAME OF OFFICER **TITLE**

Of _____, the successful bidder.
NAME OF COMPANY

Sworn to before me and subscribed in my presence this _____ day of _____, **2014**.

NOTARY PUBLIC

NON-COLLUSION AFFIDAVIT

(This Affidavit Must Be Executed for the Bid to be Considered)

STATE of _____)
)SS
COUNTY of _____)

I, _____ , _____
TITLE

Being duly sworn, do depose and say that _____

Names of All Persons, Firms, or Corporations Interested in the Bid

It's agent, officers or employees have not directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this proposal; and also, that no member of the Council, head of any City department or bureau, or employee therein, or any Officer of The City of North Canton is directly or indirectly interested therein.

SIGNATURE

TITLE

Sworn to and subscribed before me this _____ day of _____, **2014**.

Seal

Notary Public

**CITY OF NORTH CANTON
BID INSTRUCTIONS
DIRECTOR OF ADMINISTRATION**

The bidder hereby agrees that the Director of Administration has the right to reject any or all bids and to waive informality in any bid, and that the bidder shall not dispute the correctness of these methods used in computing the lowest and best bid.

The Director of Administration reserves the right to award more than one (1) contract.

The bidder further agrees that the Director of Administration may at his discretion award the contract on the basis of individual items taken separately, in multiples, or collectively for any or all items in this proposal, and that he will not dispute the Administration's judgment in his award upon this basis.

Bidder's Signature

Business Address of Bidder:

CHECK YOUR BID –

Errors or Omissions Could Result in Your Bid Being Declared Informal.

All Bids Not In Conformity With These Provisions May Be Rejected!

PROPOSAL

The undersigned proposes to furnish the labor, materials and/or equipment as outlined on the following pages of this proposal for the City of North Canton.

Detailed Specifications are hereby made a part of the proposal, and the bidder hereby acknowledges that he has read and understands them.

QUANTITIES:

The quantities quoted herein are being used as estimates for bidding purposes **ONLY** and do not represent the actual quantities that will be purchased during the period of this contract.

The undersigned understands that the quantities quoted are estimates only, and the City of North Canton does not promise to buy any given amount, and he hereby waives any and all claims for loss of profits or damages caused by his expectation of selling any quoted amount to the City.

METHOD FOR SUBMITTING BID:

Each bid shall contain, for each separate product (gasoline and diesel fuel), the average of rack prices listed in the weekly publication, The Oil Price Information Service (OPIS) under the heading PAD2 – Akron/Canton, Ohio.

Each bid shall additionally contain the fixed differential over or under the OPIS average which the bidder is prepared to offer to the City of North Canton.

PRICE INCREASE/DECREASE:

The undersigned also understands that the quoted fixed price differential shall be firm for the contractual period.

The successful bidder will be required to enter into a contract with the City of North Canton by which the City of North Canton will pay the contract vendor the OPIS average price per week, which shall be established as of **Monday of each week**, plus or minus the fixed differential which shall be established by the bids. The successful bidder will be allowed a weekly increase/decrease based upon the OPIS average prices. The successful bidder **MUST SUBMIT TO THE CITY FINANCE OFFICE BY WEDNESDAY OF EACH WEEK THE OPIS LISTING OF AVERAGES THAT WILL BE IN EFFECT FOR THAT WEEK.**

CONTRACT:

The City of North Canton shall have the right to terminate any part of this contract upon thirty (30) days' written notice to Supplier(s) in the event the Supplier(s) fails to expressly adhere to the specifications and requirements imposed upon Supplier(s) in the performance of this contract. A "Draft" of the type of contract to be signed between the winning bidder and the City of North Canton is included in the bid specification packet.

PROPOSAL

The City of North Canton also reserves the right to terminate this contract if and when the Director of Administration determines that a more efficient manner of obtaining and/or dispensing these fuels becomes available to the City. The City shall provide, to the Supplier(s), a thirty (30) day written notice of its' intent to terminate the contract. Said notice shall indicate the specific reason and/or reasons for termination. The Supplier(s), in accepting this contract, agrees that the City of North Canton shall not be liable to prosecution for damages in the event the contract is terminated.

Bidder _____

Authorized Signature _____

Address _____

Telephone _____

NOTE: Bidder is non-exclusive vendor.

The contract period is from June 1, 2014 on awarded contract through May 31, 2016 for two years.

**CITY OF NORTH CANTON OHIO
GENERAL NOTES**

Specifications for the purchase of:

GASOLINE AND DIESEL FUEL AT INDIVIDUAL FUELING STATIONS

INSTRUCTIONS AND GENERAL REQUIREMENTS

Sealed proposals addressed to the Director of Administration will be received by the City of North Canton, Ohio, at the office of the Director of Administration, North Canton City Hall, 145 North Main Street, North Canton, Ohio, until **11:00 A.M.** Local Time, **Friday, May 16th, 2014**, at which time they will be publicly opened and read in the Council Chambers.

All bids must be submitted on the City of North Canton bid form. **Bid envelopes must be sealed and plainly marked.**

GASOLINE AND DIESEL FUEL AT INDIVIDUAL FUELING STATIONS

The attention of the bidder is called to the fact that the City of North Canton has in effect an income tax which the contractor/bidder is expected to withhold on his payroll for payment to the City. Also, the contractor's profits are subject to the same tax. The bidder is advised to get full information from the City Income Tax Office by calling (330) 499-3467 before bidding.

The bidder or his duly authorized agent will sign this page in the space provided below signifying that he has read the proposal and specifications and understands them.

If the bidder has any additions, alterations or corrections to make to this proposal or specifications, he is asked to list them in the appropriate space on the bid form.

If you download the bid packet from the City of North Canton's web site the Bidder is responsible for checking the site for any addendums or changes to the bid information or RFP. You may notify Justine A. Howard Bair, Administrative Assistant to the Director of Administration at 330-499-8223 or e-mail at jbair@northcantonohio.gov of your intentions to bid and she will notify you of any changes or addendums.

COMPANY _____ **ADDRESS** _____

BY _____ **PHONE** _____

UNLEADED PLUS GASOLINE

CITY OF NORTH CANTON

2014

Approximately 50,000 Gallons per year for both unleaded & unleaded plus COMBINED

ITEM 1 GASOLINE – UNLEADED PLUS

MUST MEET ASTM D-4814 AND LATEST REVISIONS THEREOF AS WELL AS ENGINE MANUFACTURER’S SPECIFICATIONS. AT LEAST 89 OCTANE.

ITEM 2 GASOLINE – UNLEADED

MUST MEET ASTM D-4814 AND LATEST REVISIONS THEREOF AS WELL AS ENGINE MANUFACTURER’S SPECIFICATIONS. AT LEAST 87 OCTANE.

ITEM 3 – HIGH CETANE PREMIUM DIESEL FUEL ULTRA LOW SULFUR #2

MUST MEET ALL ASTM D-4737B, D-976, AND LATEST REVISIONS THEREOF, AS WELL AS ALL DIESEL ENGINE MANUFACTURER’S SPECIFICATIONS FOR ON-ROAD DIESEL. PRODUCT SHOULD MEET OR EXCEED THE BELOW LISTED APPROXIMATE STANDARDS. FUEL SYSTEMS FREEZE PROTECTION ADDITIVES SHOULD BE ADDED TO PROTECT BETWEEN THE MONTHS OF NOVEMBER THROUGH MARCH.

Bidder will be required to change gasoline specifications from time to time to insure adequate seasonal performance.

Will you comply? YES _____ NO _____

Manufacturer’s Name _____

Brand Name _____

**GASOLINE SPECIFICATIONS
INDIVIDUAL FUELING STATIONS
CITY OF NORTH CANTON**

Pickup Locations:

Individual vehicle loading at fuel station within corporate limits of North Canton during normal business hours. Alternate loading facility within three (3) mile radius of Main and Maple in North Canton for night and other special hours to ensure 24 hour service. Specify method of limiting sale to City vehicles and accounting for tax free sales status. Company will provide gas cards or City and Company mutually agree to a billing procedure.

Item #1 Unleaded Plus and Item #2 Regular Unleaded Gasoline

Station Address: _____

Alternate Location: _____

Exception – Outside of two (3) mile radius: _____

Item #3 High Cetane Premium Diesel Fuel, Ultra Low Sulfur #2

Station Address: _____

Alternate Location: _____

Exception – Outside of two (3) mile radius: _____

**TO: Director of Administration
City of North Canton, Ohio
145 N. Main St.
North Canton, OH 44720**

BID PRICE SHALL BE FIRM AS OF THE DATE OF BIDDING, LESS FEDERAL EXEMPT TAXES

Name of Bidder_____

Address_____

City, State, Zip_____

Telephone Number_____ Fax Number_____

Signed By_____ Title_____

Typed Name and Title_____

Terms:_____

BID SHEET GASOLINE & DIESEL FUEL

FIRST YEAR ONLY

<u>BID PRICE</u> <u>PRODUCT BID</u> <u>PER GALLON</u>		<u>BASED ON</u> <u>OPIS AVG.</u>	<u>FIXED</u> <u>DIFFERENTIAL</u> <u>FIRST YEAR</u>
1. Unleaded Plus	Unleaded-Plus	_____ ✓ _____	_____
2. Regular Unleaded	Unleaded	_____ ✓ _____	_____
3. High Cetane Premium Diesel	Ultra Low Sulfur #2	_____ ✓ _____	_____

SECOND YEAR ONLY

<u>PRODUCT BID</u> <u>PER GALLON</u>	<u>OPIS AVG. OF</u>	<u>OPIS AVG.</u>	<u>SECOND YEAR</u>
1. Unleaded Plus	Unleaded-Plus	_____ ✓ _____	_____
2. Regular Unleaded	Unleaded	_____ ✓ _____	_____
3. High Cetane Premium Diesel	Ultra Low Sulfur #2	_____ ✓ _____	_____

**THE CITY OF NORTH CANTON
GASOLINE & DIESEL FUEL CONTRACT**

This agreement made by and between _____, First Party and **THE CITY OF NORTH CANTON, OHIO**, Second Party.

Whereas, the Second Party, **THE CITY OF NORTH CANTON, OHIO**, pursuant to the action of Council gave authority to the Board of Control through the Director of Administration to publish legal notices asking for bids for Gasoline & Diesel Fuel according to law, and

Whereas, after the expiration time of filing such bids and after due consideration, the Board of Control of **THE CITY OF NORTH CANTON, OHIO** met on _____ **2014** and determined that _____ was the lowest and best bidder for Gasoline and Diesel Fuel, and indicated herein the same to be awarded to said bidder under the conditions of their accepted proposal and this contract.

WITNESSETH:

FIRST: First Party, _____ agrees to furnish to the Second Party, **THE CITY OF NORTH CANTON, OHIO**, in accordance with their proposal, a copy of which is attached hereto and incorporated herein, for a period of **TWENTY-FOUR (24) MONTHS** from **JUNE 1, 2014 TO MAY 31, 2016** to contract the following where and when needed in quantities requested by the Second Party per attached specifications, bid form and papers, as if fully rewritten herein:

REGULAR UNLEADED and UNLEADED PLUS GASOLINE, and
DIESEL FUEL ULTRA LOW SULFUR #2

Station Addresses:

Additional locations are available.

The quoted fixed price differential shall be firm for the contractual period, less federal exempt taxes.

SECOND: Second Party, THE CITY OF NORTH CANTON, OHIO agrees to pay to said First Party, _____ as follows: Upon receipt of monthly statements, less discounts, as and if provided in the proposal of the First Party. (See attached.)

THIRD: Said First Party agrees that they shall meet all requirements, warranties and guarantees as set forth in their proposal. Second Party reserves the right to cancel this contract upon thirty (30) days notice during the period of said contract.

FOURTH: All other provisions of the Legal Notice and of the quotations submitted by First Party and not inconsistent with any of the forms set forth in the foregoing are made part of this contract as though fully rewritten herein.

FISCAL OFFICER'S NOTIFICATION

Prior to the issuance of any order, a certificate will be issued indicating that monies are available or in the process of collection to meet the obligation, payment, and/or expenditure for each purchase to the credit of each fund applicable.

Date: _____

Karen Alger, Director of Finance

Approved as to form and legal sufficiency

Date: _____

Timothy Fox, Director of Law

DRAFT

In Witness, Whereof, The First Party, _____ has hereunto caused this Agreement to be executed and its seal to be fixed this ____ day of _____, 2014.

SELECTED BIDDER

WITNESSES:

Title: _____

In Witness, Whereof, The Second Party, **THE CITY OF NORTH CANTON, OHIO** has hereunto caused this Agreement to be executed and its seal to be fixed this ____ day of _____, 2014.

THE CITY OF NORTH CANTON, OHIO

David J. Held, Mayor

**Michael J. Grimes,
Director of Administration**

DRAFT