Addendum #3

Contract Number: AA15-PR-5023
Speedtype: 145974
Title: Fleet Operations/Transportation Services
Purchase of B5 BioDiesel and Unleaded Gasoline

The attention of the bidders submitting proposals for the above subject project is called to the following addendum to the specifications and drawings. The items set forth herein, whether of omission, addition, substitution, or clarifications, are all to be included in and form a part of the proposal submitted.

The number of this Addendum (3) must be entered in the appropriate space on the bid form.

Responses to Questions:

1. What are your average load sizes for gas and diesel? **Answer:** TANKER LOADS

2. Do you ever combine gas and diesel deliveries to make larger load sizes or do you order each one separately? **Answer:** ASSUME SEPARATE DELIVERIES

3. What is the anticipated award date? **Answer:** WITHIN 2 WEEKS OF THE DUE DATE

4. How soon after the bid opening will preliminary tabulations be made available? **Answer:** AFTER THE AWARD

5. Will the bids be publicly opened and read aloud? If so, will vendor names and pricing be read? **Answer:** The bids will be read aloud with bidder names stated.

6. Will you award each product separately or are you looking to Award all products to a single vendor? **Answer:** YES, THE WINNER WILL BE THE WEIGHTED AVERAGE OF BOTH PRODUCTS

7. Are there any contract extensions available? If so, are they mutually agreed upon? **Answer:** No Extensions

8. Do you want us to include any applicable taxes in our margins or list them separately? **Answer:** Include all taxes in your pricing
9. For the firm fixed pricing, will you accept any of our clauses? I have attached the clause page we would use for your review. Please indicate which clauses would be acceptable and which ones would be cause for rejection. Please note that all clauses are negotiable and can be removed. **Answer: SEE BELOW**

10. Can you please elaborate more on how you would like us to price the bio-diesel adder, as shown below? Are you requesting that for all of the pricing options we just give a price for straight No. 2 Ultra Low Sulfur Diesel non-bio, and then you will just add the B-5 Bio adder onto any of the prices for the final price? – **Answer: YES, EXACTLY**

11. Can you also elaborate more on the requested "Indicative Fixed Price" as well? Are you just using this price for comparison purposes only or are you looking to possibly lock in a contract at this price? **Answer: THE FIXED PRICE BID IS INDICATED ONLY. ONCE THE AWARD AS BEEN MADE, CES WILL WORK WITH THE SUPPLIER TO FIX GALLONS AT NYMEX PLUS ADDER PROVIDED WITH YOUR BID SUBMITTAL. ONCE LOCK IS EXECUTED, ALL GALLONS LOCKED AT SPECIFIED PRICES ARE BINDING.**

**Questions regarding Exceptions/Clauses to the Bid for Gasoline and Diesel Fuel:**

1) Payment terms will be Net 30 days with no discount. **Answer: Payment shall be made in accordance with M.G.L. C29,s.29c. and 815 CMR 4.00 as stated on the Contract for Services, Page 2 Paragraph 5 F.**

2) Awarded bidder reserves the right to adjust our submitted firm prices with the current NYMEX settlement until the date a written receipt of award or the intent to award is received. Your letter of intent is considered a binding commitment to purchase these gallons. If no contract can be made until a board approves, then the gallonage and price protection cannot begin until we have a signed contract. Notice may be faxed to xxx-xx-zzzz or emailed to designated email address. **Answer: THE FIXED PRICE BID IS INDICATED ONLY. ONCE THE AWARD AS BEEN MADE, CES WILL WORK WITH THE SUPPLIER TO FIX GALLONS AT NYMEX PLUS ADDER PROVIDED WITH YOUR BID SUBMITTAL. ONCE LOCK IS EXECUTED, ALL GALLONS LOCKED AT SPECIFIED PRICES ARE BINDING.**

3) Any notice of award or intent to award received must include a firm commitment to a specific amount of gallons for each product to be purchased at the firm fixed price awarded during the contract. Any additional gallons purchased over or in addition to the contracted volume will be priced at a negotiated rate prior to delivery. Any unused contract gallons will be billed to you if there is a loss in the underlying futures contracts. As an example, if bidder purchased futures contracts at $2.5000 per gallon for the specified product and month and a year later the price of these futures is $2.4000 per gallon, then if you did not use all of your contract gallons, you would be billed $.1000 per gallon times the number of unused gallons.
Answer: ONCE LOCK IS EXECUTED, ALL GALLONS LOCKED AT SPECIFIED PRICES ARE BINDING, ADDITIONAL GALLONS WILL BE PRICED AT THE ADDER OVER PLATTS NY HARBOR AS SPECIFIED IN THE RFP SUBMITTAL.

4) Contract cannot be terminated for convenience. **Answer: AGREED and the contract for services will be amended.**

5) Any extension of this contract beyond the original contract period for the firm fixed pricing format will be by mutual agreement only. **Answer: NO EXTENSION**

6) This response to your bid invitation is given with the understanding that our exceptions/clauses contained herein shall prevail over any bid invitation conflicting requirements. **Answer: THE AWARDED CONTRACTOR WILL BE BOUND BY THE UMASS CONTRACT FOR SERVICES THAT WILL BE CONSISTENT WITH THE INTENDED STRUCTURE OF THE RFP.**

**NOTE:** There will be no further questions accepted at this time prior to the bid opening on April 22, 2015 at 2:00p.m.

End of Addendum 3

John O. Martin
Director of Procurement