

REQUISITION & PROPOSAL

ALABAMA STATE PORT AUTHORITY
MCDUFFIE COAL TERMINAL DEPARTMENT

DATE: 9/4/2020
ORIGINATING DEPT NO. UPON REQUEST

TO: Prospective Vendors
Please **procure** the following and **DELIVER TO**:

ALABAMA STATE PORT AUTHORITY
MCDUFFIE COAL TERMINAL OFFICE
1901 EZRA TRICE BLVD
MOBILE, AL 36602

NAMES OF ARTICLES, SPECIFICATIONS AND PURPOSE

The Alabama State Port Authority will be accepting bids for the purchase & delivery of gasoline and diesel fuel.
Direct all technical inquiries to Scott McAfee 251-441-7510 or 251-422-1801.

Fuels supplied must meet all current and future applicable EPA emission standards as set forth in the Code of Federal Regulations, Title 40; all pertinent Parts and subsequent timeline revisions as they may become effective during the contract period.

Delivery requested ASAP after receipt of order but in no case to exceed 24-hours.

Normal delivery hours are 7:30 a.m. through 2:30 p.m. Monday through Friday.

Scheduled deliveries must be delivered within the requested one-hour window.

Supplier will direct fuel three large cranes with the supervision of ASPA personnel.

The following should be included in Supplier's profit & overhead and will be at no charge to the ASPA:

1. Furnish, install and maintain a satellite monitoring system to gauge levels on all tanks 500 gallons and larger (ten total). Monitoring system must have both low-level and critical low-level alerts. ASPA personnel must have access to computer software or website to check levels, record usage, etc.
2. Semi-annual sampling, testing and analysis of all tanks 500 gallons and larger (10 total) to include microbial growth, moisture and sediment level. If any tanks require additional testing or remedial work it will be addressed separately on an ad hoc basis.
3. Furnish, install and replace once a quarter the components of a steel breather on all tanks 500 gallons and larger at McDuffie and Pinto (7 total). Each application will consist of replacing a desiccant bag filter and a pleated filter.

The Alabama State Port Authority reserves the right to reject any and all bids.

Failure to meet the terms and conditions set forth in this contract will result in the immediate loss of contract and be eliminated from future bids.

CONTRACT PERIOD: ESTABLISH A 12 MONTH CONTRACT WITH AN OPTION TO EXTEND FOR A SECOND, THIRD AND FORTH 12 MONTH PERIOD WITH THE SAME PRICING, TERMS AND CONDITIONS. THE SECOND, THIRD AND FORTH 12 MONTH PERIOD, IF AGREED BY BOTH PARTIES, WOULD BEGIN THE DAY AFTER THE FIRST, SECOND OR THIRD 12 MONTH PERIOD EXPIRES. ANY SUCCESSIVE EXTENSION MUST HAVE WRITTEN APPROVAL OF BOTH THE STATE AND VENDOR NO LATER THAN 30 DAYS PRIOR TO EXPIRATION OF THE PREVIOUS 12 MONTH PERIOD.

Bid Opening is 9/4/2020 at 10am in the McDuffie Conference Room

Bids must be labeled: Purchase & Delivery of Gas & Diesel Fuel for ASPA – 9/4/2020

Company Name: _____

Authorized Signature: _____ Print Name: _____

Purchase & Delivery of Gas & Diesel Fuel for ASPA

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Invoicing: Supplier will submit invoice immediately following each delivery. Include one original and one copy of each. **Signed delivery receipt must be attached to invoice** and invoice must include the following: delivery site, date, time and total gross and net gallons.

NO INVOICE WILL BE PAID WITHOUT A SIGNED DELIVERY RECEIPT.

In submitting a proposal, the vendor must propose an amount of "markup" or margin over OPIS which is added to the weekly OPIS average rack price per gallon for Mobile County, Alabama for each of these products.

The margin over OPIS shall include the following items of cost "Hazardous Substance Superfund" Tax, "Oil Spill Liability Trust Fund" Tax, applicable inspection fees, all transportation cost, insurance, and any other operating costs, including equipment, materials, and supplies, plus vendor profit. Margin over OPIS shall not include federal excise taxes, or applicable State, County and City taxes. These taxes are to be billed, if applicable, as separate line items and will be shown on purchase order or orders as separate line items.

Vendor shall accept and honor qualifying member certifications and file these certificates with U.S. Internal Revenue Service or other governmental agencies as required so that these taxes will not be billed to the using member.

LIST OF TANKS AND LOCATIONS

10,000 DIESEL TANK - MCDUFFIE CD1
6,000 GAL GAS TANK - MCDUFFIE CD1
6,000 GAL DIESEL TANK - MCDUFFIE 4 YARD
1,000 GAL GAS TANK - MCDUFFIE 4 YARD
2,500 GAL GENERATOR FUEL TANK - MCDUFFIE EZRA TRICE BLVD
500 GAL DIESEL TANK - MCDUFFIE CLEAN UP STATION
6,000 GAL DIESEL TANK - PINTO
12,000 GAL DIESEL TANK - TERMINAL RAILROAD
100 GAL DIESEL TANK - TERMINAL RAILROAD
10,000 GAL GAS TANK - CENTRAL GARAGE
4,000 GAL DIESEL TANK - CENTRAL GARAGE

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Please express your “markup or margin” above OPIS in cents per gallon.

Considering all conditions and requirements of the proposed contract please enter your price in cents above the Weekly OPIS Sheet for the following:

THE FOLLOWING QUANTITY IS TO BE USED AS A BASIS FOR EVALUATION OF PRICING AND BID AWARD. THEY PROVIDE MERELY AN ESTIMATED USAGE DOCKS WIDE OVER A ONE YEAR PERIOD. AWARD OF THIS CONTRACT DOES NOT OBLIGATE THE ALABAMA STATE PORT AUTHORITY TO PURCHASE ANY MINIMUM OR MAXIMUM NUMBER OF UNITS OR ITEMS.

DESCRIPTION	ESTIMATED QTY	UNIT PRICE	EXT. PRICE
Gasoline, Unleaded, 87 Octane	200,000	\$	\$
Diesel, ULSD, Grade No. 2D S15 (15 PPM Max) Dyed for Non-Road Use	230,000	\$	\$
Diesel, ULSD, Grade No. 2D S15 (15 PPM Max) Clear for Highway Use	13,000	\$	\$
Power Services Concentrated Diesel Kleen® + Cetane Boost®, Part Number 3080-06, (6/80 Oz) or approved equal.	100	\$	\$
TOTAL EXTENDED PRICE			\$

ALL PRICING, RATES, TERMS AND CONDITIONS WILL REMAIN FIXED THROUGHT THE CONTRAT PERIOD.

PRICES MUST INCLUDE FREE DELIVERY (NO XTRA OR HIDDEN CHARGES)

TAXES FOR GASOLINE AND DIESEL FUEL

	GASOLINE	CLEAR DIESEL	DYED DIESEL
AL EXCISE	\$0.2400	\$0.2500	EXEMPT
AL INSPECTION	\$0.0200	EXEMPT	\$0.0200
AL STORAGE TANK (TRUST/LUST)	\$0.0100	\$0.0100	\$0.0100
FEDERAL LUST	\$0.0010	\$0.0010	\$0.0010
FEDERAL OIL SPILL LIABILITY	\$0.00214	\$0.00214	\$0.00214
AL IMPORT FEE	N/A	\$0.0075	\$0.0075

ASP A IS EXEMPT FROM COUNTY AND CITY TAXES

Company Name: _____

Authorized Signature: _____ Print Name: _____

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Bid opening will be September 4, 2020 @ 10:00 a.m. in the McDuffie Terminal Conference Room. NO BIDS WILL BE ACCEPTED AFTER THIS TIME.

PLEASE SEE ATTACHED INDEMNIFICATION SHEET & DISCLOSURE STATEMENT

Company

Address

Representative

Phone Number

Email

ALL BIDS MUST BE NOTARIZED

STATE OF _____)

COUNTY OF _____)

On this ___ day of _____, 20___, before me appeared _____, to me personally known, who, being by me duly sworn, did say that such person executed the foregoing instrument as the free act and deed of such person, having been duly authorized to execute such instrument in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public, State of _____

Print Name

My commission expires: _____

THIS PAGE MUST BE NOTARIZED

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ALABAMA STATE PORT AUTHORITY **INSURANCE REQUIREMENTS FOR CONTRACT WORK**

INDEMNIFICATION

The Contractor shall assume all liability for and shall indemnify and save harmless the State of Alabama and the Alabama State Port Authority, doing business as Alabama State Docks (ASD), and its officers and employees from all damages and liability for injury to any person or persons, and injury to or destruction of property, including the loss of use thereof, by reason of an accident or occurrence arising from operations under the contract, whether such operations are performed by himself or by any subcontractor or by anyone directly or indirectly employed by either of them occurring on or about the premises, or the ways and means adjacent during the term of the contract, or any extension thereof, and shall also assume the liability for injury and/or damages to adjacent or neighboring property by reason of work done under the contract.

INSURANCE REQUIREMENTS

The Contractor shall not commence work under the contract until he has obtained all insurance required under the following paragraphs and until such insurance has been approved by ASD, nor shall the Contractor allow any subcontractor to commence work until all similar applicable insurance has been obtained by the subcontractor or the Contractor has provided coverage for the subcontractor. The Contractor shall provide, at his expense, insurance in accordance with the following:

General Requirements (applicable to all policies)(Required for this project)

All policies of insurance must be written with companies acceptable to ASD. The Contractor shall furnish to ASD certificates of insurance, signed by the licensed agent evidencing required coverages. ASD reserves the right to require certified copies of any and all policies. Each policy of insurance shall provide, either in body of the policy or by endorsement, that such policy cannot be substantially altered or cancelled without thirty (30) days' written notice to ASD and to the insured. *Except for Workers Compensation, said policies will identify Alabama State Port Authority, its officers, officials, agents, servants and employees as Primary and Non-contributory Additional Insureds in connection with work performed for, on behalf of, or on the property of ASD, including a waiver of all rights of subrogation.*

General Liability (Required for this project)

The Contractor shall take out and maintain during the life of the contract Commercial General Liability insurance, including Blanket Contractual and Completed Operations coverages, in an amount not less than \$2,000,000 for any one occurrence for bodily injury, including death, and property damage liability.

Automobile Liability (Required for this project)

The Contractor shall take out and maintain during the life of the contract Business Automobile Liability insurance covering any auto in an amount not less than \$1,000,000 for any one occurrence for bodily injury, including death, and property damage liability.

Workers Compensation (Required for this project)

The Contractor shall take out and maintain during the life of the contract Workers Compensation and Employers Liability insurance providing coverage under the Alabama Workers Compensation Act in an amount not less than that required by Alabama law.

Where applicable, Contractor shall take out and maintain during the life of the contract insurance providing coverage as required by Federal statute, including but not limited to U.S. Longshoremen and Harborworkers' Compensation Act (USL&H), Jones Act, and Railroad Federal Employers Liability Act (FELA).

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Please use this as a **guide only** for proper delivery.

Sender Name & Address

Alabama State Port Authority
McDuffie Coal Terminal
Postal Address for US Mail
Physical Address for Courier Service

Sealed Bid: (Description)
Bid Opening Date:

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Please return one copy of this bid, duly signed, by **10:00 a.m., September 4, 2020.**

When all bids are publicly opened, UNIT PRICES AND EXTENSIONS shall be entered opposite each item above on which you are prepared to bid for delivery **FREE OF CHARGE TO - McDuffie Coal Terminal (FOB) ALABAMA STATE DOCKS**

No consideration will be given bids unless on this form or a written attachment.

If not prepared to submit a bid, please state over the firm signature and return so that it may be known it was brought to your attention; otherwise your name may be dropped from the list of prospective vendors.

The right is reserved to reject any and all bids deemed for the interest of the Alabama State Port Authority, to strike out any item or items in the bids, and to waive any defect or irregularly not a violation of law or to make any modification in the several conditions herein stipulated that are deemed to be in the best interest of the Alabama State Port Authority, including the separation of items of a class in making awards. In general, awards will be made to the lowest satisfactory vendor.

No Allowance will be made for errors, either of omission or commission, on the part of the vendors. It must be assumed that vendors have fully informed themselves as to all conditions, requirements, and specifications before submitting bids and they cannot expect to be excused or relieved from the responsibility assumed by their bids on the plea of error. In case of error in extension of prices the unit price will govern.

The Port Authority reserves the right to refuse to issue a bid form or a contract to a prospective vendor for any of the following reasons:

- a) Failure to pay, or satisfactorily settle, all bills due for labor and materials on a former contract in force with the Port Authority.
- b) Contractor default under a previous Contract with the Port Authority.
- c) Bid withdrawal or Bid Bond forfeiture on a previous project with the Port Authority.
- d) Unsatisfactory work on a previous contract with the Port Authority.

Port Authority may make such investigations as deemed necessary to determine the ability of the vendor to perform the work, and the vendor shall furnish all such information and data for this purpose as the Port Authority may request. The Port Authority reserves the right to reject any bid if the evidence submitted by, or investigation of, such vendor fails to satisfy the Port Authority that such vendor is properly qualified to carry out the obligations of the Contract.

FORM FOR SECTIONS 9(a) and (b) BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT; CODE OF ALABAMA, SECTIONS 31-13-9 (a) and (b)

AFFIDAVIT FOR BUSINESS ENTITY/EMPLOYER/CONTRACTOR

(To be completed as a condition for the award of any contract, grant, or incentive by the State of Alabama, and political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees)

State of _____

County of _____

Before me, a notary public, personally appeared _____ (print name) who, being duly sworn, says as follows:

As a condition for the award of any contract, grant, or incentive by the State of Alabama, any political subdivision thereof, or any state-funded entity to a business entity or employer that employs one or more employees, I hereby attest that in my capacity as _____ (state position) for _____ (state business entity/employer/contractor name) That said business entity/employer/contractor shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien.

I further attest that said business entity/employer/contractor is enrolled in the E-Verify program. (ATTACH DOCUMENTATION ESTABLISHING THAT BUSINESS ENTITY/EMPLOYER/CONTRACTOR IS ENROLLED IN THE E-VERIFY PROGRAM)

_____ Signature of Affiant

Sworn to and subscribed before me this _____ day of _____, 2_____.

I certify that the affiant is known (or made known) to me to be the identical party he or she claims to be.

_____ Signature and Seal of Notary Public

Author: Jean Brown

Statutory Authority: Code of Alabama, sections 31-13-9 (a) and (b); Section 31-13-9 (h).

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ALABAMA STATE PORT AUTHORITY ACCESS POLICY

IMPORTANT NOTICE TO VENDORS REGARDING ACCESS TO ASPA RESTRICTED FACILITIES:

Successful vendors requiring access to the Alabama State Port Authority's Restricted Facilities to fulfill any obligations set forth in this bid must comply fully with the Authority's Access Policy found in its entirety at http://www.asdd.com/portaccess_policy.html. The Port Authority's Access Policy requires all persons permanently employed at the port, including ASPA staff, tenants and their employees, surveyors, agents, stevedores, longshoremen, chaplains, contract labor and persons requesting temporary access to the port, including delivery persons, vendors, contractors, and temporary workers must obtain and display an ASPA issued photo ID badge or visitor badge at all times when accessing or working on port property. In order to obtain an ASPA credential, applicants must also obtain a Transportation Worker Identification Credential (TWIC) and undergo mandatory Security Awareness Training. Information on the TWIC can be found at http://www.asdd.com/portaccess_twicregs.html

Information on Security Awareness Training classes and scheduling can be found at http://www.asdd.com/portaccess_securitytraining.html

ALL PROSPECTIVE VENDORS ARE ENCOURAGED TO REVIEW THESE POLICIES AND CONSIDER THESE REQUIREMENTS IN PREPARING BID SUBMISSIONS.

INSTRUCTIONS FOR VENDORS

ALABAMA STATE PORT AUTHORITY

This instruction sheet is provided as a guide to facilitate the bid process and highlight important points for consideration by vendors. Each vendor is responsible for fully reading and complying with the instructions on the Alabama State Port Authority bid form. **This instruction sheet is to be used as a guide only.**

1. No consideration will be given to bids unless presented on the Alabama State Port Authority "Requisition & Proposal" Form with suitable attachments as deemed necessary by the vendor. Alternate bid proposals may be rendered, with proper support.
2. If your company is not prepared to submit a bid, so state and sign to avoid being deleted from the prospective vendor's list.
3. The Alabama State Port Authority reserves the right to reject any and all bids if deemed in the Alabama State Port Authorities' interest.
4. No allowance will be made for error, either omission or commission.
5. Unit price governs in errors relating to extension of prices.
6. **Bids will not be accepted via FAX or EMAIL. All bids must be sealed and sent via mail or hand delivered to the McDuffie Coal Terminal Office before the specified date and time.**
7. The Alabama State Port Authority accepts no responsibility for facilitating the receipt of bids.
8. All bids must be notarized.
9. Bids received after specified opening time will be returned to the vendor unopened. Vendors are requested to show a return address on the bid envelope.
10. Bids must be filled out completely, including the name, address, telephone number, fax number (if possible) and signature of responsible person.
11. **Questions may be directed to the Alabama State Port Authority McDuffie Coal Terminal, Dillon Sims, at (251) 441-7676.**
12. **All hand delivered bids** must be tendered to Alabama State Port Authority, McDuffie Coal Terminal Office 1901 Ezra Trice Blvd., Mobile AL 36602, at or before specified time.
13. **All regular U.S. Postal Mail** must be tendered to:
ASPA - McDuffie Coal Terminal
ATTN: Dillon Sims
P.O. Box 1588
Mobile, AL 36633-1588
NOTE: THIS METHOD MUST BE MAILED AT LEAST A WEEK BEFORE THE OPENING. PLEASE IDENTIFY YOUR BID PACKAGE!!
14. **All courier / overnight deliveries** (UPS, FEDEX, etc.) must be delivered to:
ASPA - McDuffie Coal Terminal
ATTN: Dillon Sims
1901 Ezra Trice Blvd.
Mobile, AL 36602
RECOMMENDED METHOD
PLEASE IDENTIFY YOUR BID PACKAGE!!
15. Note: all overnight bids must be FIRST PRIORITY OVERNIGHT. (8:30 A.M. NEXT MORNING)
16. Notarization not required on "SALE" bids.
17. Please specify the purchase order number (when available) on envelope.



State of Alabama Disclosure Statement

Required by Article 3B of Title 41, Code of Alabama 1975

ENTITY COMPLETING FORM

ADDRESS

CITY, STATE, ZIP

TELEPHONE NUMBER

STATE AGENCY/DEPARTMENT THAT WILL RECEIVE GOODS, SERVICES, OR IS RESPONSIBLE FOR GRANT AWARD

ADDRESS

CITY, STATE, ZIP

TELEPHONE NUMBER

This form is provided with:

Contract Proposal Request for Proposal Invitation to Bid Grant Proposal

Have you or any of your partners, divisions, or any related business units previously performed work or provided goods to any State Agency/Department in the current or last fiscal year?

Yes No

If yes, identify below the State Agency/Department that received the goods or services, the type(s) of goods or services previously provided, and the amount received for the provision of such goods or services.

STATE AGENCY/DEPARTMENT	TYPE OF GOODS/SERVICES	AMOUNT RECEIVED

Have you or any of your partners, divisions, or any related business units previously applied and received any grants from any State Agency/Department in the current or last fiscal year?

Yes No

If yes, identify the State Agency/Department that awarded the grant, the date such grant was awarded, and the amount of the grant.

STATE AGENCY/DEPARTMENT	DATE GRANT AWARDED	AMOUNT OF GRANT

1. List below the name(s) and address(es) of all public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify the State Department/Agency for which the public officials/public employees work. (Attach additional sheets if necessary.)

NAME OF PUBLIC OFFICIAL/EMPLOYEE	ADDRESS	STATE DEPARTMENT/AGENCY

2. List below the name(s) and address(es) of all family members of public officials/public employees with whom you, members of your immediate family, or any of your employees have a family relationship and who may directly personally benefit financially from the proposed transaction. Identify the public officials/public employees and State Department/Agency for which the public officials/public employees work. (Attach additional sheets if necessary.)

NAME OF FAMILY MEMBER	ADDRESS	NAME OF PUBLIC OFFICIAL/ PUBLIC EMPLOYEE	STATE DEPARTMENT/ AGENCY WHERE EMPLOYED
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If you identified individuals in items one and/or two above, describe in detail below the direct financial benefit to be gained by the public officials, public employees, and/or their family members as the result of the contract, proposal, request for proposal, invitation to bid, or grant proposal. (Attach additional sheets if necessary.)

Describe in detail below any indirect financial benefits to be gained by any public official, public employee, and/or family members of the public official or public employee as the result of the contract, proposal, request for proposal, invitation to bid, or grant proposal. (Attach additional sheets if necessary.)

List below the name(s) and address(es) of all paid consultants and/or lobbyists utilized to obtain the contract, proposal, request for proposal, invitation to bid, or grant proposal:

NAME OF PAID CONSULTANT/LOBBYIST	ADDRESS
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By signing below, I certify under oath and penalty of perjury that all statements on or attached to this form are true and correct to the best of my knowledge. I further understand that a civil penalty of ten percent (10%) of the amount of the transaction, not to exceed \$10,000.00, is applied for knowingly providing incorrect or misleading information.

Signature _____ Date _____

Notary's Signature _____ Date _____ Date Notary Expires _____

Article 3B of Title 41, Code of Alabama 1975 requires the disclosure statement to be completed and filed with all proposals, bids, contracts, or grant proposals to the State of Alabama in excess of \$5,000.

Revised: 09/2013

THIS PAGE MUST BE NOTARIZED