January 20, 2016

RE:  ADDENDUM #1
Bid #B162005 Motor Fuels, Oils, Fluids & Greases

To All Prospective Bidders:

The following information is being provided to aid in preparation of your bid submittal(s): The bid opening time has been changed to the following:

OPENING DATE:
Bid #B162005, Motor Fuels, Oils, Fluids & Greases originally scheduled to be opened on Thursday, January 28, 2016 at 2:45 P.M has been re-scheduled. The new deadline for submitting a bid is as follows:

Date:    Thursday, February 4, 2016
         Time:    2:00 P.M.

Please send bid submittals to:
Galveston County Purchasing Agent
Attention: Rufus Crowder, CPPO CPPB
722 Moody (21st Street), Fifth (5th) Floor
Galveston, Texas 77550

As a reminder, all questions regarding this bid must be submitted in writing to:

Rufus G. Crowder, CPPO CPPB
Galveston County Purchasing Agent,
722 Moody, Fifth (5th) Floor
Galveston, Texas 77550
Fax: (409) 621-7987
E-mail: rufus.crowder@co.galveston.tx.us

Please excuse us for any inconvenience that this may have caused.

Sincerely,

Rufus G. Crowder, CPPO CPPB
Purchasing Agent
Galveston County
January 26, 2016

RE: ADDENDUM #2
Bid #B162005  Motor Fuels, Oils, Fluids & Greases

To All Prospective Bidders,

The following information is being provided to aid in preparation of your bid submittal(s):

SPECIAL NOTES:
Bolivar Peninsula:
All Bolivar Peninsula locations mentioned in this bid should be deleted and replaced with the new location – 924 Nobel Carl Rd, Crystal Beach, TX. The attached Line Item Detail forms have been corrected to reflect this new location.

Jet A-Aviation Fuel:
The County request four (4) 500 gallon portable, stainless steel, doubled walled storage tanks to be delivered with bottom mounted 2” ball valves to the following location: 2724 Terminal Drive, Galveston, TX. The deliveries must be made by certified Jet A Bobtail trucks. No 18 wheelers are accepted.

Prior Awarded Bid:
Copies of the bid tab, awarded bid, and invoice copies are attached for your perusal.

Question #1: Will you be able to provide answers by Wednesday, January 26th?
Response: No.

Question #2: The bid asks for 1 original and 3 copies of the whole bid as well as 3 original contracts that the bid has 3 copies attached. I just want to be sure that the copies of the bid only need one copy of the contract each not all 3 each for a total of 9 contract copies.
Response: We will need three (3) original signed contracts. No copies of the contracts are needed.

Question #3: Will the decision to award be made at a board meeting?
Response: Yes. The Commissioners’ Court will make the award at a regularly scheduled meeting.

Question #4: Can you provide an award date more specific than the “within 90 days” listed in the bid?
Response: No.

Question #5: When is the first board meeting after the opening?
Response: Based on the opening date of this solicitation, the Commissioners’ Court is scheduled to meet on Tuesday, February 16, 2016.
Question #6: Are common carriers considered subcontractors?
Response: Typically no, however, that would depend on your contractual agreement with the common carrier.

Question #7: Can you provide us with tank sizes per location and per product at those locations?
Response: Crystal Beach – 3,000 gallons diesel and 2,000 gallons gasoline;
Seawall Operations & Maintenance, 2601 Loop 197 – 1,000 gallons diesel;
Maintenance, 6,000 gallons diesel;
Pump Station - 1100 Levee Rd, La Marque, TX – two (2) 2,500 gallon diesel tanks.
Santa Fe – one (1) 2,000 gallon (gas), one (1) 2,000 gallon (diesel)

Question #8: Why are port bolivar and crystal beach priced differently?
Response: All Bolivar delivery locations notated as 924 Broadway should be deleted and replaced with the new location in Crystal Beach, 924 Nobel Carl Rd.

Question #9: Will the award be split by product?
Response: The requested items can be awarded by line item or split by product, whatever is most advantageous to the County.

Question #10: Will the award be split by tank wagon and transport?
Response: No.

Question #11: If we do not bid on Jet A fuel will we still be considered for any award?
Response: Yes.

Question #12: If we do not bid the motor oil will we still be considered for any award?
Response: Yes.

Question #13: What are the delivery hours at each location?
Response: All Seawall locations M-F, 7:00 am – 3:30 pm
Crystal Beach M-F, 7:00 am – 3:30 pm
Scholes International Airport, 2724 Terminal Drive, 77554 M-F, 8:00 am – 4:00 pm
Santa Fe – M-F, 24 hours
Dickinson – M-F, 24 hours

Question #14: Will you accept deliveries after 6 pm?
Response: No, unless prior arrangement has been made due to abnormal conditions.

Question #15: Are deliveries split between locations?
Response: All Seawall locations – Yes
Crystal Beach - No

Question #16: What are you using the high sulfur diesel for at each location it is requested for?
Response: High sulfur diesel is used for all Seawall locations, Crystal Beach, Dickinson Road & Bridge, and on-road, off-road vehicles and equipment including stationary generators and lift pumps.
**Question #17:** Can you provide us with a list of bidders invited to bid?

Response: There is no formal bid listing however, our prior providers have been Sun Coast Resources and Bay Oil Company.

**Question #18:** If possible, can you provide us with estimated annual usage per location?

Response: Seawall, 2601 Loop 197, Texas City 7000 gals Diesel
1101 Levee Rd, La Marque 6000 gals Diesel

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**Question #19:** What is the average load size for gas and diesel?

Response: Seawall, 2601 Loop 197, Texas City Maintenance – 700 gals Diesel, Pump 2000 gals Diesel
1101 Levee Rd, La Marque – 2000gals Diesel

**Question #20:** Have any addendums been released for this bid?

Response: Yes

**Question #21:** What is your current turnaround on the payment of invoices not on the Procurement Card system?

Response: The County attempts to pay vendors within two weeks, however, we are bound by the Prompt Payment Act which is no later than the 30th day after we have the receipt.

**Question #22:** Will a firm fixed price be considered? If not, why?

Response: Each proposal will be evaluated and the most advantageous offer will be presented to the Commissioners’ Court.

**Question #23:** If we were to insert any conditions into our alternate firm fixed bid, would they be taken into consideration or rejected? Sample attached, please indicate which clauses would be acceptable and which clauses would be cause for rejection?

Response: The response to Question #22 applies.

**Question #24:** How long after the bid opening are we required to hold our firm pricing before the recommendation?

Response: See the instructions in the General Provisions, page 1.

**Question #25:** On a firm bid we would like to have a name and contact number for someone that can inform us of the low bidder as soon as possible.

Response: Please contact the Galveston County Purchasing Agent.
Question #26: How many gallons did you lock in last year and for which months did you lock in?
Response: N/A

Question #27: Is the bid opening open to the public?
Response: Yes.

Question #28: If we attend the bid opening, will we be able to review other submitted bids?
Response: No. No vendor information will be made available until after the Commissioners’ Court makes the award and a contract is signed. Bid pricing will be read aloud at the bid opening.

Question #29: If we do not attend the bid opening, how and when will we be notified of the low bidder and can we receive a copy of the bid tabulation?
Response: The bid results will be posted on the Purchasing website or you can receive any information that was read aloud at the opening by contacting the Purchasing Department.

Question #30: Can we please have a list of bidders invited to submit a proposal?
Response: This proposal is open to the public. The following companies were sent proposals the previous time this went out to bid and they were sent proposals this time:
   a. Sun Coast
   b. Bay Oil Co.
   c. Pinnacle Petroleum, Inc.
   d. Petroleum Traders Corporation
   e. Houston-Pasadena Apache Oil, Co.
   f. SC Fuels

Question #31: An open records request was sent to your Purchasing Department, do you know when we will be receiving the information?
Response: The requested documents are attached to this addendum.

As a reminder, all questions regarding this bid must be submitted in writing to:

Rufus G. Crowder, CPPO CPPB
Galveston County Purchasing Agent
722 Moody, Fifth (5th) Floor
Galveston, Texas 77550
E-mail: rufus.crowder@co.galveston.tx.us
If you have any further questions regarding this bid, please address them to Rufus Crowder, CPPO CPPB, Purchasing Agent, via e-mail at rufus.crowder@co.galveston.tx.us, or contact the Purchasing Department at (409) 770-5371.

Please excuse us for any inconvenience that this may have caused.

Sincerely,

[Signature]

Rufus G. Crowder, CPPO CPPB
Purchasing Agent
Galveston County
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# Line Item Detail

**Motor Fuels, Oils, Fluids and Greases**  
GALVESTON COUNTY, TEXAS

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### Motor Fuels, Oils, Fluids and Greases

**GALVESTON COUNTY, TEXAS**

**Line Item Detail**

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## LINE ITEM DETAIL

**MOTOR FUELS, OILS, FLUIDS AND GREASES**

**GALVESTON COUNTY, TEXAS**

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## LINE ITEM DETAIL

**MOTOR FUELS, OILS, FLUIDS AND GREASES**

**GALVESTON COUNTY, TEXAS**

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MOTOR FUELS, OILS, FLUIDS AND GREASES  
GALVESTON COUNTY, TEXAS  

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# LINE ITEM DETAIL

MOTOR FUELS, OILS, FLUIDS AND GREASES

GALVESTON COUNTY, TEXAS

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<th>Item No.</th>
<th>Product Code</th>
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</table>
# LINE ITEM DETAIL

**MOTOR FUELS, OILS, FLUIDS AND GREASES**

**GALVESTON COUNTY, TEXAS**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Product Code</th>
<th>Description</th>
<th>Quantity</th>
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<tr>
<td>0090</td>
<td>40515</td>
<td>55 GALLON CHEVRON MOTOR OIL 5W20 OR</td>
<td>1</td>
<td>DR</td>
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<td>EQUIVALENT</td>
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Extended Price Total of all Item: $__________________
INVITATION TO BID
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

Sealed bids in sets of eight (8), one (1) original and seven (7) copies will be received in the office of the County Purchasing Agent until 2:00 PM on 05/22/2012 and opened immediately in that office in the presence of the County Auditor and the Purchasing Agent. Sealed bids are to be delivered to the County Purchasing Agent at the Galveston County Courthouse, 722 Moody Avenue (21st Street), Fifth (5th) Floor, Galveston, Texas 77550. Any bid received after 2:00 PM on the date specified will be returned unopened.

All bids must be marked on the outside of the envelope:

Bid #: B122023
MOTOR FUELS, OILS, FLUIDS AND GREASES

Bidders name, return address, and the enclosed label should be prominently displayed on the envelope. Pricing will be lump sum or as noted on bid sheet.

Specifications can be obtained on application at the office of the County Purchasing Agent, located in the Galveston County Courthouse, 722 Moody Avenue (21st Street), Fifth (5th) Floor, Galveston, Texas.

Bids will be either lump sum or unit prices as shown on the proposal sheet, if applicable. The net price will be delivered to Galveston County, including all freight or shipping charges. The County is tax exempt and no taxes should be included in your proposal.

Upon satisfaction of contractual terms (e.g., goods delivered in promised condition, services rendered as agreed, etc.), vendor is to be paid via Galveston County's normal accounts payable process.

Commissioners' Court reserves the right to waive any informality and to reject any and all bids and to accept the bid or bids which, in its opinion, is most advantageous to the County.

Rufus G. Crowder, CPPB
Purchasing Agent
Galveston County
GENERAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

1. BID PACKAGE
The invitation to bid, general and special provisions, drawings, specifications/line item details, contract documents and the bid sheet are all considered part of this bid package. Bids must be submitted in sets of eight (8), one (1) original and seven (7) copies on the forms provided by the County, including the bid sheet completed in its entirety and signed by an authorized representative by original signature. Failure to complete and sign the bid sheet/contract page(s) may disqualify the bid from being considered by Commissioners’ Court. Any individual signing on behalf of the bidder expressly affirms that he or she is duly authorized to tender this bid and to sign the bid sheet/contract under the terms and conditions in this bid. Bidder further understands that the signing of the contract shall be of no effect unless subsequently awarded and the contract properly executed by Commissioners’ Court. All figures must be written in ink or typed. Figures written in pencil or with erasures are not acceptable. However, mistakes may be crossed out, corrections inserted, and initialed in ink by the individual signing the bid. If there are discrepancies between unit prices quoted and extensions, the unit price will prevail. Each bidder is required to thoroughly review this entire bid packet to familiarize themselves with the bid procedures, the plans and specifications for the requested work as well as the terms, and conditions of the contract the successful bidder will execute with the County.

2. COMPETITIVENESS AND INTEGRITY
To prevent biased evaluations and to preserve the competitiveness and integrity of such acquisition efforts, bidders are to direct all communications regarding this bid to the Galveston County Purchasing Agent, unless otherwise specifically noted.

Do not contact the requesting department. Attempts by offering firms to circumvent this requirement will be viewed negatively and may result in rejection of the offer of the firm found to be in non-compliance.

All questions regarding this Request for Bid must be submitted in writing to:

Rufus G. Crowder, CPPB
Galveston County Purchasing Agent
722 Moody, Fifth (5th) Floor
Galveston, Texas 77550
Fax: (409) 621-7987
E-mail: rufus.crowder@co.galveston.tx.us

An authorized person from the submitting firm must sign all bids. This signature acknowledges that the bidder has read the bid documents thoroughly before submitting a bid and will fulfill the obligations in accordance to the terms, conditions, and specifications.

Please carefully review this Invitation to Bid. It provides specific information necessary to aid participating firms in formulating a thorough response.

3. TIME FOR RECEIVING BIDS
Bids received prior to the submission deadline will be maintained unopened until the specified time for opening. If the bidder fails to identify the Bid Number on the outside of the envelope as required, the Purchasing Agent will open the envelope for the sole purpose of identifying the bid number for which the submission was made. The envelope will then be resealed. No liability will attach to a County office or employee for the premature opening of a bid. If you do not submit a bid, return this Invitation to Bid and state reason, otherwise your name may be removed from our mailing list.

4. BID OPENING
The names of the bidders and the pricing will be read aloud at the bid opening. Sealed bids will be received in the office of the County Purchasing Agent and opened immediately in that office in the presence of the County Auditor and the Purchasing Agent. No bid may be withdrawn for a period of sixty (60) calendar days of the bid opening date.
GENERAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

5. REJECTION OF BIDS
The County, acting through its Commissioners’ Court reserves the right to: (1) reject any and all bids and waive any informality in the bids received; (2) disregard the bid of any bidder determined to be non-responsive to the provisions contained herein.

6. RESTRICTIVE OR AMBIGUOUS SPECIFICATIONS
It is the responsibility of the prospective bidder to review the entire invitation to bid packet and to notify the Purchasing Department if the specifications are formulated in a manner that would restrict competition or appear ambiguous. Any such protest or question(s) regarding the specifications or bid procedures must be received in the Purchasing Department not less than seventy-two (72) hours prior to the time set for bid opening. Vendors are to bid as specified herein or bid an approved equal. The mention of any brand name in the specifications is not intended to be restrictive, but is intended to describe the general features and requirements (or equivalent) that Galveston County is seeking.

7. SUBSTITUTES
It is not the County’s intent to discriminate against any materials of equal merit to those specified; however, should the bidder desire to use any substitutions, prior written approval shall be obtained from the County Purchasing Agent sufficiently in advance in order that an addendum might be issued.

8. EXCEPTIONS TO BID
The bidder will list on a separate sheet of paper any exceptions to the conditions of the bid. This sheet will be labeled, “Exceptions to Bid Conditions”, and will be attached to the bid. If no exceptions are stated, it will be understood that all general and specific conditions will be complied with, without exception.

9. PRICING
Bids will be either lump sum or unit prices as shown on the bid sheet. The net price will be delivered to Galveston County, including all freight or shipping charges. The County is tax exempt and no taxes should be included in your bid.

Cash discount must be shown on bid, otherwise prices will be considered net. Unless prices and all information requested are complete, bid may be disregarded and given no consideration.

In case of default by the contractor, the County of Galveston may procure the articles or services from other sources and may deduct from any monies due, or that may thereafter become due to the contractor, the difference between the price named in the contract of purchase order and the actual cost thereof to the County of Galveston. Prices paid by the County of Galveston shall be considered the prevailing market price at the time such purchase is made. Periods or performance may be extended if the facts as to the cause of delay justify such extension in the opinion of the Purchasing Agent and the Commissioners’ Court.

10. PROCUREMENT CARD
The County of Galveston participates in a Procurement Card (P-Card) program that allows payments made to the vendor by credit card. This method normally results in substantially faster bill payments sometimes within three (3) to five (5) days of the actual transaction date. If your company will accept payment via credit card (Visa, MasterCard), please note this in your bid submittal.

11. TAX EXEMPTION
Pursuant to Section 151.309 of the Texas Tax Code, Galveston County qualifies for exemption from sales, excise and use taxes imposed under the Limited Sales, Excise, and Use Tax Act, which is codified at Chapter 151 of the Texas Tax Code. In accordance with Section 151.309, a taxable item sold, leased, or rented to, or stored, used, or consumed by the County is exempt from the taxes imposed under Chapter 151. Section 151.311 of the Texas Tax Code lists its requirements for tax exemptions on taxable items incorporated into or used for the improvement of realty of an exempt entity. Section 151.3111 lists its requirements for tax exemptions on certain services. Contractor is cautioned that this
GENERAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

RFP provision simply highlights some statutory qualifying exemptions from the sale and use taxes imposed under Chapter 151. If Contractor believes all or a portion of its costs are exempt from taxes imposed under Chapter 151 of the Texas Tax Code, it may request a certificate of tax exemption by submitting a written request for such to the County Purchasing Agent. Additionally, information regarding eligibility for exemption from taxes imposed under Chapter 151 may be obtained through the Office of the State of Texas Comptroller of Public Accounts, whose website is http://www.window.state.tx.us/.

12. PASS THROUGH COST ADJUSTMENTS
Except in instances of extreme extenuating circumstances Vendor prices shall remain firm throughout the Contract period and any renewals. Examples of extreme extenuating circumstances include such situations as a nation wide rail strike, oil shortage, or oil embargos.

In extreme extenuating circumstances Vendors may be allowed to temporarily “pass through” additional costs they are forced to incur through no fault of their own. A request for a pass through cost increase will not be considered unless a Vendor’s cost for his product exceeds 10% over the original cost for the product. Also, the increase in cost must be nationwide and consistent for a minimum period of sixty (60) days. If a Vendor thinks he will be asking for a pass through cost adjustment during the term of his contract the original cost of his product to him must be stated in Vendor’s original bid.

A request for a pass through cost does not guarantee that one will be granted. Vendors must submit such information on each request as is required by the County Purchasing Agent. The County Purchasing Agent will review each request on a case by case basis and determine the appropriateness of each request as well as amount and duration of increase. Vendors will not be permitted any additional compensation for mark-ups or profits based on the increase in price. Rather, such additional compensation will be limited to the actual increase in original cost to the Vendor as such increase is reflected by the original cost stated in the bid. But in no event will the amount of additional compensation exceed 25% increase in

Vendor’s original cost for his product as such cost is reflected in Vendor’s original bid or the duration exceed a period of sixty (60) days. In addition, should, during the period of the pass through, cost return to normal or decrease to below pre pass through prices, appropriate downward adjustments will be made. No more than one pass through adjustment will be permitted per year.

13. MODIFICATION OF BIDS
A bidder may modify a bid by letter at any time prior to the submission deadline for receipt of bids. Modification requests must be received prior to the submission deadline. Modifications made before opening time must be initialed by bidder guaranteeing authenticity. Bids may not be amended or altered after the official opening with the single exception that any product literature and/or supporting data required by the actual specifications, if any, will be accepted at any time prior to the Commissioners’ Court consideration of same.

14. AWARD OF BIDS
The award will be made to the bidder who is determined to be the lowest bidder demonstrating the best value and ability to fulfill the requirements of the bid. The prices proposed will be considered firm and cannot be altered after the submission deadline.

The criteria utilized for determining responsibility of bidder(s) includes, but is not limited to, the bidder’s experience, skill, ability, business judgment, financial capacity, integrity, honesty, possession of the necessary facilities or equipment, previous performance, reputation, promptness, and any other factor deemed relevant by the County. The bidder shall furnish any information requested by the County in order for the County to determine whether a bidder is responsible.

In determining and evaluating the best bid, the pricing may not necessarily be controlling, but quality, equality, efficiency, utility, general terms, delivery, suitability of the service offered, and the reputation of the service in general use will also be considered with any other relevant items. The Commissioners’ Court shall be the sole judge in the determination of these matters.
GENERAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

Each bidder, by submitting a bid, agrees that if their bid is accepted by the Commissioners’ Court, such bidder will furnish all items and services upon which prices have been tendered and upon the terms and conditions in this bid and contract.

The contractor shall commence work only after the transmittal of a fully executed purchase order, or contract, and after receiving written notification to proceed from Galveston County. The contractor will perform all services indicated in the bid in compliance with this contract.

Neither department heads nor elected officials are authorized to sign any binding contracts or agreements prior to being properly placed on the Commissioners’ Court agenda and approved in open court. Department heads and other elected officials are not authorized to enter into any type of agreement or contract on behalf of Galveston County. Only the Commissioners’ Court, acting as a body, may enter into a contract on behalf of Galveston County. Additionally, department heads and other elected officials are not authorized to agree to any type of supplemental agreements or contracts for goods or services. Supplemental agreements are subject to review by the Galveston County Legal Department prior to being signed by the County’s authorized representative.

The County of Galveston reserves the right to accept bids on individual items listed, or group items, or on the bid as a whole; to reject any and all bids; to waive any infirmality in the bids; and to accept the bid that appears to be in the best interest of the County.

Notice of contract award will be made within ninety (90) days of opening of bids to the lowest responsive and responsible contractor, whose bid complies with all the requirements in this Invitation to Bid unless special consideration is granted by the Commissioners’ Court.

Contractor shall submit to the County, for approval, within ten (10) days from notice of contract award, all Certificates of Insurance evidencing the required coverage as described under insurance in the schedule of the Invitation to Bid, item 29, page 7, Proof of Insurance.

The contractor shall not commence work under these terms and conditions of the contract until all applicable Certificates of Insurance, Performance and Payment Bonds, and Irrevocable Letter of Credit (if required) have been approved by the County of Galveston and he/she has received notice to proceed in writing and an executed copy of the contract from the County of Galveston Purchasing Agent.

15. RESULTANT CONTRACT
The resultant contract if applicable, shall become effective upon the Commissioners’ Court execution of the same. The contract documents shall consist of the contract, the general and special provisions, the drawings, bid package, any addenda issued, and any change orders issued during the work. If applicable to the attached bid, bidder must sign three (3) original contracts and return with their bid submittal.

16. CONTRACT TERM
The term of the resultant contract will begin on the date of execution by the Commissioners’ Court and will terminate on the date specified in the resultant contract unless terminated earlier as herein set forth.

17. TERMINATION FOR DEFAULT
Failure of either party in the performance of any of the provisions of this contract shall constitute a breach of contract, in which case, either party may require corrective action within ten (10) days from date of receipt of written notice citing the exact nature of such breach. Failure of the party being notified to take corrective action within the prescribed ten (10) days, or failure to provide written reply of why no breach has occurred, shall constitute a Default of Contract.
GENERAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

All notices relating to default by Bidder of the provisions of the contract shall be issued by County by its Legal Department, and all replies shall be made in writing to the Galveston County Legal Department. Notices issued by or issued to anyone other than the Galveston County Legal Department shall be null and void and shall be considered as not having been issued or received.

Galveston County reserves the right to enforce the performance of this contract in any manner prescribed by law in the event of breach or default of this contract, and may contract with another party, with or without solicitation of bids or bids or further negotiations. At a minimum, bidder shall be required to pay any difference in service or materials, should it become necessary to contract with another source, plus reasonable administrative costs and attorney fees.

In the event of Termination for Default, Galveston County, its agents or representatives shall not be liable for loss of any profits anticipated to be made by bidder.

No waiver by either party of any event of default under this agreement shall operate as a waiver of any subsequent default under the terms of this agreement.

County reserves the right to terminate this contract immediately in the event bidder:

- Fails to meet delivery or completion schedules;
- Fails to otherwise perform in accordance with the accepted bid and the contract

18. TERMINATION FOR CONVENIENCE
County may terminate this contract upon at least thirty (30) days prior written notice for its' convenience or for any reason deemed by the County to serve the public interest. County may terminate this contract upon thirty (30) days prior written notice for any reason resulting from any governmental law, order, ordinance, regulations, or court order. In no event shall County be liable for loss of any profits anticipated to be made hereunder by bidder should this contract be terminated early.

19. FORCE MAJEURE
If by reason of Force Majeure either Party shall be rendered unable, wholly or in part, to carry out its responsibilities under this contract by any occurrence by reason of Force Majeure, then the Party unable to carry out its responsibility shall give the other Party notice and full particulars of such Force Majeure in writing within a reasonable time after the occurrence of the event, and such notice shall suspend the Party’s responsibility for the continuance of the Forced Majeure claimed, but for no longer period.

Force Majeure means acts of God, floods, hurricanes, tropical storms, tornadoes, earthquakes, or other natural disasters, acts of a public enemy, acts of terrorism, sovereign conduct, riots, civil commotion, strikes or lockouts, and other causes that are not occasioned by either Party’s conduct which by the exercise of due diligence the Party is unable to overcome and which substantially interferes with operations.

20. ESTIMATED QUANTITIES
Any reference to quantities shown in the Invitation to Bid are an estimate only. Since the exact quantities cannot be predetermined, the County reserves the right to adjust quantities as deemed necessary to meet its’ requirements.

21. CONTRACTOR INVESTIGATION
Before submitting a bid, each contractor shall make all investigations and examinations necessary to ascertain all site conditions and requirements affecting the full performance of the contract and to verify any representations made by the County upon which the contractor will rely. If the contractor receives an award as a result of its bid submission, failure to have made such investigations and examinations will in no way relieve the contractor from its obligation to comply in every detail with all provisions and requirements of the contract, nor will a plea of ignorance of such conditions and requirements be accepted as a basis for any claim whatsoever by the contractor for additional compensation.
GENERAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

22. NO COMMITMENT BY COUNTY OF GALVESTON
This Invitation to Bid does not commit the County of Galveston to award any costs or pay any costs, or to award any contract, or to pay any costs associated with or incurred in the preparation of a bid to this request, or to procure or contract for services or supplies.

23. SINGLE BID RESPONSE
If only one bid is received in response to the Invitation to Bid, a detailed cost bid may be requested of the single contractor. A cost/price analysis and evaluation and/or audit may be performed of the cost bid in order to determine if the price is fair and reasonable.

24. REJECTION/DISQUALIFICATION OF BIDS
Galveston County reserves the right to reject any or all bids in whole or in part received by reason of this bid package and may discontinue its efforts for any reason under this bid package at any time prior to actual execution of the contract by the County. Bidders may be disqualified and rejection of bids may be recommended to the Commissioners’ Court for any of (but not limited to) the following causes:

   A. Failure to use the bid form furnished by the County, if applicable.
   B. Lack of signature by an authorized representative that can legally bind the company on the bid form.
   C. Failure to properly complete the bid.
   D. Bids that do not meet the mandatory requirements.
   E. Evidence of collusion among bidders.

25. CHANGES IN SPECIFICATIONS
If it becomes necessary to revise any part of this bid, a written notice of such revision will be provided to all bidders in the form of addenda. The County is not bound by any oral representations, clarifications, or changes made in the written specifications by the County’s employees, unless such clarification or change is provided to bidders in a written addendum from the Purchasing Agent.

The County of Galveston reserves the right to revise or amend the specifications up to the time set for opening of bids. Such revisions and amendments, if any, shall be announced by amendments to the solicitation. Copies of such amendments shall be furnished to all prospective contractors. Prospective contractors are defined as those contractors listed on the County’s Invitation to Bid list for this material/service or who have obtained his documents subsequent to the advertisement. If revisions and amendments require changes in quantities or prices proposed, or both, the date set for opening of bids may be postponed by such number of days as in the opinion of the County shall enable contractors to revise their bids. In any case, the bid opening shall be at least five working days after the last amendment; and the amendment shall include an announcement of the new date if applicable, for the opening of bids.

26. BID DISCLOSURES
The names of those who submitted bids will not be made public information until after an award is made by Commissioners’ Court. No price or staffing information will be released. Bidders are requested to withhold all inquiries regarding their bid or other submissions until after an award is made. No communication is to be had with any County employee, other than the Purchasing Agent, regarding whether a bid was received. Violations of this provision may result in the rejection of a bid.

27. PROTEST
Any actual or prospective bidder who is allegedly aggrieved in connection with the solicitation or award of bid may protest. The protest will be submitted in writing to the Purchasing Agent within seven (7) days after such aggrieved person knows of, or should have known of the facts giving rise thereto. If the protest is not resolved by mutual agreement, the Purchasing Agent will promptly issue a decision in writing to the protestant. If the protestant wishes to appeal the decision rendered by the Purchasing Agent, such appeal must be made to the Commissioners’ Court through the Purchasing Agent. The decision of the Court will be final. The Court need not consider protests unless this procedure is followed.
GENERAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

28. WITHDRAWAL OF BID
Bidders may request withdrawal of a sealed bid prior to the scheduled bid opening time provided the request for withdrawal is submitted to the Purchasing Agent in writing. No bids may be withdrawn for a period of sixty (60) calendar days after opening of the bids.

29. INDEMNIFICATION
The contractor shall agree to assume all risks and responsibility for, and agrees to indemnify, defend, and save harmless, the County of Galveston, its elected and appointed officials and department heads, and its agents and employees from and against all claims, demands, suits, actions, recoveries, judgments, and costs and expenses including reasonable attorney’s fees for the defense thereof in connection therewith on account of the loss of life, property or injury or damage to the person which shall arise from contractor’s operations under this contract, its use of County facilities and/or equipment or from any other breach on the part of the contractor, its employees, agents or any person(s) in or about the County’s facilities with the expressed or implied consent of the County. Contractor shall pay any judgment with cost which may be obtained against Galveston County resulting from contractor’s operations under this contract.

Contractor agrees to indemnify and hold the County harmless from all claims of subcontractors, laborers incurred in the performance of this contract. Contractor shall furnish satisfactory evidence that all obligations of this nature herein above designated have been paid, discharged or waived. If Contractor fails to do so, then the County reserves the right to pay unpaid bills of which County has written notice direct and withhold from Contractor’s unpaid compensation a sum of money reasonably sufficient to liquidate any and all such lawful claims.

30. PROOF OF INSURANCE
Successful bidder agrees to keep in full force and effect, a policy of public liability and property damage insurance issued by a casualty company authorized to do business in the State of Texas, and in standard form approved by the Board of Insurance Commissioners’ of the State of Texas, with coverage provision insuring the public from any loss or damage that may arise to any person or property by reason of services rendered by successful bidder and providing that the amount by reason of services limits of not less than the following sums:

A. For damages arising out of bodily injury to or death of one person in any one accident – ONE HUNDRED THOUSAND AND NO/100 ($100,000.00) DOLLARS.
B. For damages arising out of bodily injury to or death of two or more persons in any one accident – THREE HUNDRED THOUSAND AND NO/100 ($300,000.00) DOLLARS.
C. For any injury to or destruction of property in any one accident – ONE HUNDRED THOUSAND AND NO/100 ($100,000.00) DOLLARS.

Successful bidder shall carry in full force Workers' Compensation Insurance Policy(ies), if there is more than one employee, for all employees, including but not limited to full time, part time, and emergency employees employed by the successful bidder. Current insurance Certificates certifying that such policies as specified above are in full force and effect shall be furnished by successful bidder to the County.

Galveston County shall be listed as the additional insured on policy certificates and shall be notified of any changes to the policy during the contractual period.

31. CONFLICT OF INTEREST DISCLOSURE REPORTING
Proposer may be required under Chapter 176 of the Texas Local Government Code to complete and file a conflict of interest questionnaire (CIQ Form). If so, the completed CIQ Form must be filed with the County Clerk of Galveston County, Texas.
GENERAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
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If Proposer has an employment or other business relationship with an officer of Galveston County or with a family member of an officer of Galveston County that results in the officer or family member of the officer receiving taxable income that exceeds $2,500.00 during the preceding 12-month period, then Proposer MUST complete a CIQ Form and file the original of the CIQ Form with the County Clerk of Galveston County.

If Proposer has given an officer of Galveston County or a family member of an officer of Galveston County one or more gifts with an aggregate value of more than $250.00 during the preceding 12-months, then Proposer MUST complete a CIQ Form and file the original of the CIQ Form with the County Clerk of Galveston County.

The Galveston County Clerk has offices at the following locations:

Galveston County Clerk
Galveston County Justice Center, Suite 2001
600 59th Street
Galveston, Texas 77551

Galveston County Clerk
North County Annex, 1st Floor
174 Calder Road
League City, Texas 77573

Again, if Proposer is required to file a CIQ Form, the original completed form is filed with the Galveston County Clerk (not the Purchasing Agent).

For Proposer’s convenience, a blank CIQ Form is enclosed with this proposal. Blank CIQ Forms may also be obtained by visiting the Galveston County Clerk’s website and/or the Purchasing Agent’s website – both of these websites are linked to the Galveston County homepage, at http://www.co.galveston.tx.us.

As well, blank CIQ Forms may be obtained by visiting the Texas Ethics Commission website, specifically at http://www.ethics.state.tx.us/whatsnew/conflict_forms.htm.

Chapter 176 specifies deadlines for the filing of CIQ Forms (both initial filings and updated filings).

It is Proposer’s sole responsibility to file a true and complete CIQ Form with the Galveston County Clerk if Proposer is required to file by the requirements of Chapter 176. Proposer is advised that it is an offense to fail to comply with the disclosure reporting requirements dictated under Chapter 176 of the Texas Local Government Code.

If you have questions about compliance with Chapter 176, please consult your own legal counsel. Compliance is the individual responsibility of each person, business, and agent who is subject to Chapter 176 of the Texas Local Government Code.

32. ENTIRETY OF AGREEMENT AND MODIFICATION
This contract contains the entire agreement between the parties. Any prior agreement, promise, negotiation or representation not expressly set forth in this contract has no force or effect. Any subsequent modification to this contract must be in writing, signed by both parties.

An official representative, employee, or agent of the County does not have the authority to modify or amend this contract except pursuant to specific authority to do so granted by the Galveston County Commissioners’ Court.
GENERAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

33. NON-COLLUSION AFFIDAVIT
The contractor declares, by signing and submitting a bid, that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the contractor has not directly or indirectly induced or solicited another contractor to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any contractor or anyone else to put in a sham bid, that anyone shall refrain from bidding; that the contractor has not in any manner, directly or indirectly, sought by agreement, communications, or conference with anyone to fix the bid price of the contractor of any other bidder, or to fix any overhead, profit or cost element of the bid price, or of that of any other contractor, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract, that all statements contained in the bid are true; and further, that the contractor has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any cooperation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

No negotiations, decisions, or actions shall be initiated by any company as a result of any result of any verbal discussion with any County employee prior to the opening of responses to this Invitation to Bid.

No officer or employee of the County of Galveston, and no other public or elected official, or employee, who may exercise any function or responsibilities in the review or approval of this undertaking shall have any personal or financial interest, direct or indirect, in any contract or negotiation process thereof. The above compliance request will be part of all County of Galveston contracts for this service.

34. PROCUREMENT ETHICS
Galveston County is committed to the highest ethical standards. Therefore, it is a serious breach of the public trust to subvert the public purchasing process by directing purchases to certain favored vendors, or to tamper with the competitive bidding process, whether it’s done for kickbacks, friendship or any other reason. Since misuse of the purchasing power of a local government carries criminal penalties, and many such misuses are from a lack of clear guidelines about what constitutes an abuse of office, the Code of Ethics outlined below must be strictly followed.

Galveston County also requires ethical conduct from those who do business with the county.

CODE OF ETHICS – Statement of Purchasing Policy
Public employment is a public trust. It is the policy of Galveston County to promote and balance the objective of protecting the County’s integrity and the objective of facilitating the recruitment and retention of personnel needed by Galveston County. Such policy is implemented by prescribing essential standards of ethical conduct without creating unnecessary obstacles to entering public office.

Public employees must discharge their duties impartially so as to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of the Galveston County procurement organization.

To achieve this purpose, it is essential that those doing business with Galveston County also observe the ethical standards prescribed herein.

General Ethical Standards
It shall be a breach of ethics to attempt to realize personal gain through public employment with Galveston County by any conduct inconsistent with the proper discharge of the employee’s duties.

It shall be a breach of ethics to attempt to influence any public employee of Galveston County to breach the standards of ethical conduct set forth in this code.
GENERAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

It shall be a breach of ethics for any employee of Galveston County to participate directly or indirectly in a procurement when the employee knows that:

• The employee or any member of the employee’s immediate family, has a financial interest pertaining to the procurement

• A business or organization in which the employee, or any member of the employee’s immediate family, has a financial interest pertaining to the procurement

• Any other person, business or organization with which the employee or any member of the employee’s immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

Gratuities
It shall be a breach of ethics to offer, give or agree to give any employee of Galveston County, or for any employee or former employee of Galveston County to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any program requirement or a contract or subcontract, or to any solicitation or bid therefore pending before this government.

Kickbacks
It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract for Galveston County, or any person associated therewith, as an inducement for the award of a subcontract or order.

Contract Clause
The prohibition against gratuities and kickbacks prescribed above shall be conspicuously set forth in every contract and solicitation by Galveston County.

Confidential Information
It shall be a breach of ethics for any employee or former employee of Galveston County to knowingly use confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of any person.

35. OPEN RECORDS
Galveston County is required to adhere to the provisions of the Texas Public Information Act. All information, documentation and other material submitted by vendor in response to any solicitations or under any resulting contract thereof may be subject to public disclosure under the Texas Public Information Act (TX Gov’t Code, Chapter 552). Vendors are hereby notified that Galveston County strictly adheres to this statute and the interpretations thereof rendered by the Courts and/or Texas Attorney General’s office. Vendor shall be deemed to have knowledge of this law and how to protect their interests under it. Exceptions to disclosure of information as provided by this statute are intended to protect legitimate interests of the County or vendor, and are not intended to serve as a means to withhold or delay disclosure of information not covered by these exceptions.

If vendor considers any submitted information to be proprietary in nature, protected by trade secrets, or otherwise confidential, said material should be clearly marked and conspicuously noted as such. Failure to do so shall not place any burden on the County of Galveston for the release of any material not abiding by this provision.
GENERAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

36. NOTICE
Any notice required or permitted between the parties under this contract must be in writing and shall be delivered in person or mailed, certified mail, return receipt requested, or may be transmitted by fax as follows:

To the County at:
Hon. Mark A. Henry, County Judge
722 Moody
Second (2nd) Floor
Galveston, Texas 77550
Fax: (409) 765-2653

And to:
Rufus G. Crowder, CPPB
Purchasing Agent
722 Moody, Fifth (5th) Floor
Galveston, Texas 77550
Fax: (409) 621-7987

Harvey Bazaman
Director of County Legal
722 Moody, Fifth (5th) Floor
Galveston, Texas 77550
Fax: (409) 770-5560
SPECIAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

The County of Galveston requests bids for the purpose of selecting a vendor or vendors to supply regular unleaded gasoline, unleaded plus (mid-grade) gasoline, and #2 diesel fuel low sulfur with additive and oils, fluids, and greases for use in Galveston County vehicles and equipment. Separate awards may be made for Mainland, Galveston Island, and Port Bolivar Peninsula locations, however, this bid in its entirety may be awarded to a single vendor, whatever is most advantageous to the County of Galveston. Bidders must submit examples detailing the method of calculation of excise taxes, delivery fees, etc., of pricing on invoices delivered to the County.

Delivery will be made to various locations in the County as shown on the attached bid sheets. The supplier selected shall furnish the necessary personnel, services, and facilities to provide and deliver fuels as ordered by various County departments. The fuels provided shall meet or exceed the specifications included or attached for regular unleaded, unleaded plus (mid-grade) gasoline, and #2 diesel fuel low sulfur with additive. No alcohol extenders or additives are allowed for gasoline products only.

TERM OF CONTRACT:
The term of contract shall be one (1) year from date of acceptance and approval of bid by the Galveston Commissioners’ Court with an option to continue for an additional two (2), one (1) year periods if mutually agreeable.

QUANTITIES:
During the term of this contract the County expects to purchase approximately 180,000 gallons of unleaded gasoline, 50,000 gallons of unleaded plus (mid-grade) gasoline and 75,000 gallons of #2 diesel fuel low sulfur with additive. Minimum quantities are not guaranteed. Additional quantities will be required for delivery to Port Bolivar and Crystal Beach locations. The County expects to purchase approximately 15,000 gallons of gasoline and approximately 15,000 gallons of low sulfur diesel fuel with additive at Port Bolivar. Deliveries will be between 500 and 6,000 gallons per delivery.

Award for these two locations may be separate from the award from the balance of the County. Minimum quantities at these two locations are not guaranteed and the County will only pay for fuel actually ordered and delivered.

DELIVERY AUTHORIZATION:
The ordering department will furnish vendor with a valid Galveston County Purchasing Order Number at the time the order is placed. Under no circumstances will the vendor accept an order for delivery to locations other than those on the attached bid sheets unless otherwise approved by the Galveston County Purchasing Agent.

PRICES FOR LOCATIONS OTHER THAN PORT BOLIVAR AND CRYSTAL BEACH:
Bidders are required to bid a price differential above or below the average PAD 3 report for Houston, Texas: published by the Oil Price Information Service (OPIS). The bidder shall use the average price for regular, unleaded gasoline, unleaded plus (mid-grade) gasoline and #2 diesel fuel low sulfur with additive from the first listing of each calendar week. Adding or subtracting the bidder’s price differential to the PAD 3 average BTD rack average price should establish a fixed price to be in effect from Wednesday to the following Tuesday of each week.

The successful bidder shall submit weekly a letter and/or Oil Price Information Service (OPIS) information to be received prior to Wednesday of each week that includes PAD 3 prices as stated above. This information should be directed to the Purchasing Agent.

PRICES FOR PORT BOLIVAR AND CRYSTAL BEACH:
Bidders are required to bid a price differential above or below the rack price per gallon on date or order for regular unleaded gasoline, (mid-grade) gasoline, or #2 diesel fuel low sulfur with additive. Successful bidder will show rack price on all invoices for fuel delivered to the County.
SPECIAL PROVISIONS
MOTOR FUELS, OILS, FLUIDS AND GREASES
GALVESTON COUNTY, TEXAS

DELIVERIES:
Deliveries of fuels, oils, fluids, and greases ordered shall be completed between the hours of 7:30 A.M. and 4:00 P.M., Monday through Friday for all sites. Orders placed before noon shall be delivered no later than 4:00 P.M. the following work day. Trucks making deliveries shall be equipped with proper ticket printers, meters, or State of Texas certified truck markings to assure accurate measure. All delivery trucks must be equipped with a Vapor Recovery System and must be available for emergency deliveries.

Due to the difficulty in the delivery of these commodities to the Port Bolivar Peninsula, the County will entertain options detailing alternate delivery methods and pricing structure. These options shall be listed on a separate sheet of paper and included with your bid submittal.

If vendor is unable to comply with these requirements, the County reserves the right to purchase these commodities in the open market with all costs in excess of established price charged to the account of the vendor. Deliveries to sites other than those shown on the bid sheet are not allowed without authorization from the Purchasing Agent.

SUBCONTRACTING:
No part of this bid shall be subcontracted to another party for furnishing fuels without the written approval of the Galveston County Commissioners’ Court.

INSURANCE:
During the term of this contract the vendor shall carry and pay the premiums for insurance of the types and limits as referenced in the general provisions, page 7, item #30, Proof of Insurance. No Purchase Order shall be issued without proof of coverage.

In addition, Automobile Liability Insurance is required covering all owned, hired, and non-owned automobiles used in this work, not less than $500,000.00 per person and $1,000,000.00 per occurrence for Bodily Injury; not less than $100,000.00 for Property Damage.

QUALITY ASSURANCE:
The County of Galveston shall have the right upon each delivery of gasoline or at any time to determine compliance with such standards by performing tests in accordance with the methods prescribed by the American Society for Testing Materials (“ASTM”). If the vendor questions or disputes the results of tests made by the County, the County shall have the right to appoint a chemist to make such tests as it may deem necessary.

The expense of such tests shall be paid by the vendor if it is determined that any fuel failed to satisfy the quality standards set forth herein; and the County if it is determined that any gasoline tested satisfied such quality standards. The vendor agrees to replace any fuels not meeting the County’s specifications at no cost to the County. The vendor further agrees to repair and make whole all engine damage resulting from the placement of such fuels in County vehicles.

TAXES:
Galveston County does not pay federal tax on gasoline. Vendor shall furnish any exemption certificates needed for Government records.

SPECIFICATION:
All unleaded fuels shall be produced in accordance with the “ASTM” Standard #D 439 including latest revision, as is applicable to the Galveston County Region. Regular unleaded gasoline shall have a minimum octane rating of 87 based on a formula where the research octane number (RON) and the motor octane number (MON) are added, then divided by 2. Unleaded plus (mid-grade) gasoline shall have a minimum octane rating of 89 using R+M divided by 2. Diesel fuel shall conform to the attached specifications for #2 diesel low sulfur with additive.
Since much of the fuel covered by this bid will be used by Law Enforcement and Emergency vehicles, the vendor must guarantee to honor all orders placed by the County within the scope of this bid.

**DIESEL FUEL PROPERTIES:**
Supplied diesel fuel must be a fuel oil suitable for use in diesel internal combustion engines, in trucks, tractors, dozers, cranes, graders, shovels, and similar equipment. The diesel fuel must be a completely distilled mineral oil meeting the requirements as listed herein. The diesel fuel must be low sulfur with additive.

The diesel fuel shall conform to the requirements specified herein when tested in accordance with ASTM-975. The physical properties are as stated on attachment "A".

Vendors responding to this solicitation shall perform their own in-depth research prior to submitting bids for the requested items. Galveston County assumes no responsibility for the documentation submitted and is found in error.

**JET A – Aviation Fuel:**
Successful vendor is required to furnish JET A aviation fuel to authorized Galveston County and user departments. JET A fuel shall conform to and meet the standards as specified by ASTM Standards ASTM D1655-07 - Standard Specification for Aviation Turbine Fuels.

ASTM International, formerly known as the American Society for Testing and Materials (ASTM), is a globally recognized leader in the development and delivery of international voluntary consensus standards.

This specification defines specific types of aviation turbine fuel for civil use in the operation and certification of aircraft and describes fuels found satisfactory for the operation of aircraft and engines. The specification can be used as a standard in describing the quality of aviation turbine fuels from the refinery to the aircraft.

This specification does not include all fuels satisfactory for aviation turbine engines. Certain equipment or conditions of use may permit a wider, or require a narrower, range of characteristics than is shown by this specification.

The fuels shall be sampled and tested appropriately to examine their conformance to detailed requirements as to composition, volatility, fluidity, combustion, corrosion, thermal stability, contaminants, and additives.

Jet A is a similar kerosene type of fuel, produced to an ASTM specification and normally only available in the U.S.A. It has the same flash point as Jet A-1 but a higher freeze point maximum (−40°C). It is supplied against the ASTM D1655 (Jet A) specification.

Successful vendor shall supply JET A Aviation fuel per the following instructions:

- Provide at no cost to the County, 2000 gallons of portable stainless steel storage tanks; preferably in four (4) five hundred (500) gallon storage tanks;
- Minimum delivery quantity of 500 gallons;
- Delivery within 48 hours of placement of order;
- Ability to add fuel additive Prist® high flash, anti-icing aviation fuel additive as needed.

*Excerpt from [http://www.pristaerospace.com/index.html](http://www.pristaerospace.com/index.html)*

All turbine aircraft fuels contain some dissolved water. It cannot be extracted because it does not exist as particulate water. When an aircraft rises to flight altitude, the fuel cools and its capacity to retain dissolved water is reduced. Some of the dissolved water separates out as discrete water that can form into ice crystals or remain as a super-cooled liquid.
When super-cooled water strikes a tubing bend or a filter, it can freeze quickly and block a fuel line or filter. If suspended ice crystals are present, they can also block a filter.

*Prist Hi-Flash anti-icing aviation fuel additive is authorized by the United States Armed Forces under Military Specification MIL-DTL-85470(B), and by the ASTM under Standard D4171 for use in civilian jet fuels as a fuel system icing inhibitor. As part of its ASTM approval process, the formulation of Prist Hi-Flash additive was reviewed and approved by turbine engine and turbine aircraft airframe manufacturers worldwide.

Prist Hi-Flash additive is recommended for every refueling at a dosage rate of .10% minimum to .15% maximum by volume.

Prist Hi-Flash additive has limited solubility in jet fuel, but is completely soluble in water. When dissolved water separates from the fuel, some amount of Prist Hi-Flash additive quickly leaves the fuel and preferentially dissolves in the water. This depresses the water's freezing point. As the fuel gets colder, and more water particles appear, more Prist Hi-Flash additive leaves the fuel and enters the water, and your aircraft's fuel lines stay clear.

MOTOR OILS, TRANSMISSION FLUIDS, AND GREASES:
All types of oil, fluids, and greases may be ordered for Galveston County departments. The types of oils, fluids, and greases on this bid are the types that Galveston County has been using. Any reference to types of manufacturers used in the bid specifications is descriptive, not restrictive. It is used to indicate the type and quality desired. Brands other than these specified may be bid if of equal value and effectiveness. Full descriptive literature is to be included with the bid. Suitability of such items will be determined by the Purchasing Agent and the head of the using department. The decision of the Galveston County Commissioners' Court will be final.

AUDIT & BOokeeping:
Successful contractor shall provide the County of Galveston a line item report of quantities and expenditures on a monthly basis or at any time during the term of this contract for materials, commodities, or services rendered as requested by the Galveston County Purchasing Agent.

Successful contractor shall keep full, complete, and proper books, records, and accounts of all gross receipts, both for cash and on credit, of each separate activity. Said books, records, and accounts that may be required by any government or governmental agency, shall at all reasonable times be open to inspection by the County or its authorized representatives or agents.
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MUST CONTAIN ADDITIVE MIL QPL-25017, NATO STANAG 3390 OR BRITISH API/QPL DERO 2461
CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.
This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

1) Name of person who has a business relationship with local governmental entity.

☐ Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

2) Name of local government officer with whom filer has employment or business relationship.

   Name of Officer

   This section (Item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

   A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

      ☐ Yes ☐ No

   B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

      ☐ Yes ☐ No

   C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

      ☐ Yes ☐ No

   D. Describe each employment or business relationship with the local government officer named in this section.

3) Signature of person doing business with the governmental entity

   Date

Adopted 08/29/2007
From: Jake Marsico [jakeboc@gmail.com]
Sent: Tuesday, June 05, 2012 1:52 PM
To: Crowder, Rufus
Subject: Bid 122023

Price per pound for grease is $ 2.15

Jake Marsico
Bay Oil Company
BID SHEET

MOTOR FUELS, OILS, FLUIDS AND GREASES

GALVESTON COUNTY, TEXAS

Having read and understood the instructions, terms, conditions, specifications, and info to bid we submit the following:

LINE ITEM TOTAL $22,877.75

OPTIONS TO RENEW 2 Extensions/1 Year Options

Kevin Quick
WITNESS
5/18/12
DATE

Bay Oil Company
COMPANY NAME

Authorized Representative's Signature

Jake Massa
PRINTED NAME

Jake Manager
TITLE

2201 FM 517 E.,
CORRESPONDENCE ADDRESS
Dickinson, TX 77539
CITY, STATE ZIP CODE

281-337-4673
TELEPHONE NUMBER

ADDENDUM'S RECEIVED #1 #2 #3
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## LINE ITEM DETAIL

### MOTOR FUELS, OILS, FLUIDS AND GREASES

#### GALVESTON COUNTY, TEXAS

**VENDOR ID: 021360 BAY OIL CO CORP**

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# LINE ITEM DETAIL

**MOTOR FUELS, OILS, FLUIDS AND GREASES**

**GALVESTON COUNTY, TEXAS**

**VENDOR ID: 021360 BAY OIL CO CORP**

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## LINE ITEM DETAIL

**MOTOR FUELS, OILS, FLUIDS AND GREASES**

**GALVESTON COUNTY, TEXAS**

**VENDOR ID 021360 BAY OIL CO CORP**

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### VENDOR ID 021360 BAY OIL CO CORP

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## LINE ITEM DETAIL
### MOTOR FUELS, OILS, FLUIDS AND GREASES
#### GALVESTON COUNTY, TEXAS

**VENDOR ID** 021360 BAY OIL CO CORP

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## Line Item Detail

**Motor Fuels, Oils, Fluids and Greases**

**Galveston County, Texas**

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**MOTOR FUELS, OILS, FLUIDS AND GREASES**

**GALVESTON COUNTY, TEXAS**

**VENDOR ID: 021360 BAY OIL CO CORP**

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# LINE ITEM DETAIL

## MOTOR FUELS, OILS, FLUIDS AND GREASES

**GALVESTON COUNTY, TEXAS**

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<td>#2 LOW SULFUR DIESEL DELIVERED TO GALVESTON COUNTY JAIL 5700 AVENUE H GALVESTON, TX 77550 0 - 500 GALLON DELIVERY</td>
<td>500</td>
<td>GL</td>
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<td>$105.00</td>
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# LINE ITEM DETAIL

**MOTOR FUELS, OILS, FLUIDS AND GREASES**

**GALVESTON COUNTY, TEXAS**

<table>
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<th>Vendor ID</th>
<th>021360 BAY OIL CO CORP</th>
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<th>Quantity</th>
<th>Units</th>
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## LINE ITEM DETAIL

**MOTOR FUELS, OILS, FLUIDS AND GREASES**

**GALVESTON COUNTY, TEXAS**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Product Code</th>
<th>Description</th>
<th>Quantity</th>
<th>Units</th>
<th>Catalog #</th>
<th>Unit Price</th>
<th>Extended Price</th>
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Extended Price Total of all Item: $22,577.73

"*" In Case of Emergency Situations "Hurricanes" Bay Oil will Charge a $200.00 Delivery Fee. Bay Oil Company will Charge a $85.00/hr Demurrage in Case the loading docks are backed up.
BAY OIL COMPANY  
P.O. BOX 1367  
DICKINSON, TX 77539-1367  

Phone: 281-337-4671  
Fax: 281-614-5949  

Profit Center: 62  

Sold GALVESTON CO (BOLIVAR)  
To: P.O. BOX 1418  
724 LOOP 105  
GALVESTON, TX 77553  

Ship GALV CO-SHERIFF  
To: 724 LOOP 106  
FORT BOLIVAR, TX  

Account No: 26040086  
PO No: 301173  
Terms: NET 30 DAYS  
Ship Via: BAY OIL COMPANY  
Sales ID: JAKE  
BOL/Ship Order:  

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REFORMULATED GASOLINE CONTAINS UP TO 10% ETHANOL  

INVOICE DUE ON 10/09/2015  

Total Amount: 3,172.32  

RECEIVED SEP 2 1 2016  

Thank you for your business!  
If emergency call "National Response Center"  
at 1-800-424-8802. Toll Free
**Internal Use Invoice**

**BAY OIL COMPANY**  
P.O. BOX 1367  
DICKINSON, TX 77539-1367

Phone: 281-337-4671  
Fax: 281-614-5949

Sold: GALVESTON COUNTY  
To: Mike Tubbs  
P.O. BOX 1418  
PURCHASING OFF/021360  
GALVESTON, TX 77553

Ship: GALV CO-SEAWALL  
To: Mike Tubbs  
SEAWALL MAINTENANCE  
2601 LOOP 197  
TEXAS CITY, TX

---

**Acct. No:** 26040075  
**PO No:** C501020  
**Ship Via:** BAY OIL COMPANY  
**Sales ID:** JAKE  
**Terms:** NET 30 DAYS  
**BOL/Ship.Order:**

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This is a rebill invoice.  

**INVOICE DUE ON 10/28/2015**

**Total Amount:** 1,302.71

---

Thank you for your business!  
If emergency call "National Response Center"  
at 1-800-424-8602. Toll Free

**RECEIVED OCT 2 6 2015**
BAY OIL COMPANY
P.O. BOX 1367
DICKINSON, TX 77539-1367

Phone: 281-337-4671
Fax: 281-614-5949

Sold GALVESTON COUNTY
To: Mike Tubbs
P.O. BOX 1418
PURCHASING OFF/021360
GALVESTON, TX 77553

Ship GALVESTON CO.SERVICE CENTER,
To: Mike Tubbs
5101 AVE H.
SANTA FE, TX

Account No: 26040152 PO No: C401123
Terms: NET 30 DAYS
Ship Via: BAY OIL COMPANY
Sales ID: JAKE BOL/Ship.Order:

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<tr>
<td>## REFORMULATED GASOLINE CONTAINS</td>
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<tr>
<td>## UP TO 10% ETHANOL</td>
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REFORMULATED GASOLINE CONTAINS
UP TO 10% ETHANOL

INVOICE DUE ON 11/08/2015

Total Amount: 1,628.11

Thank you for your business!
If emergency call "National Response Center"
at 1-800-424-8802. Toll Free
BAY OIL COMPANY
P.O. BOX 1367
DICKINSON, TX 77539-1367

Phone: 281-337-4671
Fax: 281-614-5949

Sold GALVESTON COUNTY
To: Mike Tubbs
P.O. BOX 1418
PURCHASING OFF/021360
GALVESTON, TX 77553

Ship GALV CO-SEAWALL
To: Mike Tubbs
SEAWALL MAINTENANCE
2601 LOOP 197
TEXAS CITY, TX

Account No:26040075 PO No:C-601135 Terms: NET 30 DAYS
Ship Via: BAY OIL COMPANY Sales ID: JAKE BOL/Ship.Order:

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INVOICE DUE ON 11/21/2015

Total Amount: 1,241.82

RECEIVED OCT 26 2015

Thank you for your business!
If emergency call "National Response Center"
at 1-800-424-8802. Toll Free
BAY OIL COMPANY  
P.O. BOX 1367  
DICKINSON, TX 77539-1367  

Phone: 281-337-4671  
Fax: 281-614-5949  

Sold GALVESTON CO (BOLIVAR)  
To: P.O. BOX 1418  
724 LOOP 108  
GALVESTON, TX 77553  

Ship GALV CO-SHERIFF  
To: 724 LOOP 108  
PORT BOLIVAR, TX  

Account No: 26040086  
PO No: C301123  
Terms: NET 30 DAYS  
Ship Via: BAY OIL COMPANY  
Sales ID: JAKE  
BOL/Ship.Order:  

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REFORMULATED GASOLINE CONTAINS  
UP TO 10% ETHANOL  

INVOICE DUE ON 12/06/2015  

Total Amount: 1,405.63  

RECEIVED NOV 1 3 2015  

Thank you for your business!  
If emergency call "National Response Center"  
at 1-800-424-8802. Toll Free
BAY OIL COMPANY  
P.O. BOX 1367  
DICKINSON, TX 77539-1367

Phone: 281-337-4671  
Fax: 281-614-5949

Sold GALVESTON CO (BOLIVAR)  
To: P.O. BOX 1418  
724 LOOP 108  
GALVESTON, TX 77553

Ship GALV CO-SHERIFF  
To: 724 LOOP 108  
PORT BOLIVAR, TX

Account No: 26040086  
PO No: C601136  
Terms: NET 30 DAYS

Ship Via: BAY OIL COMPANY  
Sales ID: JAKE  
BOL/Ship.Order: >

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FEDERAL OIL SPILL ETHANOL  
TX EXCISE GASOLINE  
FEDERAL LUST TAX  
TEXAS LOADING FEE

REFORMULATED GASOLINE CONTAINS UP TO 10% ETHANOL

INVOICE DUE ON 01/13/2016

Total Amount: 2,543.09

---

Thank you for your business!  
If emergency call "National Response Center"  
at 1-800-424-8802. Toll Free

RECEIVED DEC 23 2015
BAY OIL COMPANY  
P.O. BOX 1367  
DICKINSON, TX 77539-1367  

Phone: 281-337-4671  
Fax: 281-614-5949  

Invoice No: 451849  
Invoice Date: 12/19/15  
Ship Date: 12/19/15  
Profit Center: 62  

Sold GALVESTON CO (BOLIVAR)  
To: P.O. BOX 1418  
724 LOOP 108  
GALVESTON, TX 77553  

Ship GALV CO-BOLIVAR R&D  
To: 724 LOOP 108  
PORT BOLIVAR, TX  

Account No: 26040077  
PO No: C601136  
Terms: NET 30 DAYS  

Ship Via: BAY OIL COMPANY  
Sales ID: JAKE  
BOL/Ship.Order:  

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INVOICE DUE ON 01/18/2016  

Total Amount: 4,294.21  

RECEIVED DEC 23 2015  

Thank you for your business!  
If emergency call "National Response Center"  
at 1-800-424-8802. Toll Free
# Internal Use Invoice

**BAY OIL COMPANY**  
P.O. BOX 1367  
DICKINSON, TX 77539-1367

Phone: 281-337-4671  
Fax: 281-614-5949

**Sold** GALVESTON CO (BOLIVAR)  
To: P.O. BOX 1418  
724 LOOP 108  
GALVESTON, TX 77553

**Ship** GALV CO - BOLIVAR R&D  
To: 724 LOOP 108  
PORT BOLIVAR, TX

---

**Acct. No:** 26040077  
**PO No:** 601064  
**Terms:** NET 30 DAYS

**Product Code/Description**  
**Quantity**  
**Price**  
**Shipped**  
**Each**  
**Extension**

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**FED OIL SPILL**  
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1.5000  
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**TX EXCISE DIESEL**  
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1.50

**FEDERAL LUST TAX**  
1.50

**TEXAS LOADING FEE**

**INVOICE DUE ON 12/24/2015**

**Total Amount:** 2,937.66

---

Thank you for your business!  
If emergency call "National Response Center"  
at 1-800-424-8802. Toll Free
BAY OIL COMPANY  
P.O. BOX 1367  
DICKINSON, TX 77539-1367

Phone: 281-337-4671  
Fax: 281-614-5949

Sold: GALVESTON COUNTY  
To: Mike Tubbs  
P.O. BOX 1418  
PURCHASING OFF/021360  
GALVESTON, TX 77553

Ship: GALVESTON CO-ROD & BRIDGE  
To: 5115 HWY 3  
DICKINSON, TX 77539

Account No: 26040064  
PO No: CG01138  
Terms: NET 30 DAYS

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REFORMULATED GASOLINE CONTAINS UP TO 10% ETHANOL

INVOICE DUE ON 02/01/2016

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Thank you for your business!  
If emergency call "National Response Center"  
at 1-800-424-8802. Toll Free
# BID RESPONSE TABULATION

**MOTOR FUELS, OILS, FLUIDS AND GREASES**

**GALVESTON COUNTY, TEXAS**

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Vendor: 704681 HOUSTON-PASADENA APACHE
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# BID RESPONSE TABULATION

**MOTOR FUELS, OILS, FLUIDS AND GREASES**

**GALVESTON COUNTY, TEXAS**

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## BID RESPONSE TABULATION
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#### GALVESTON COUNTY, TEXAS

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<td>722 MOODY GALVESTON, TEXAS 77551 0 - 3000 GALLON DELIVERY</td>
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<td>J072 40515</td>
<td>7000</td>
<td>2 LOW SULFUR DIESEL DELIVERED TO EMERGENCY MANAGEMENT FACILITY 1353 FM 646 DICKINSON, TX 77539 0 - 7000 GALLON DELIVERY</td>
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<td>2 LOW SULFUR DIESEL DELIVERED TO MID COUNTY ANNEX 9850 EMMETT F. LOWRY TEXAS CITY, TX 77591 0 - 2000 GALLON DELIVERY</td>
<td>2,000</td>
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BID #: B122023
OPEN: 05/22/2012 2:00 PM