

City of Rockland

INSTRUCTIONS TO BIDDERS AND GENERAL CONDITIONS

FUEL BIDS

R2 FUEL OIL, OFF-ROAD DIESEL, KEROSENE & LIQUID PROPANE

I. GENERAL INFORMATION

- A. The City of Rockland (the "City") is seeking proposals to supply **R2 FUEL OIL, OFF-ROAD DIESEL & KEROSENE & LIQUID PROPANE** at various facilities through the City as described in the attached Specifications and consistent with the terms and conditions of the "Contract Documents" defined below. Each firm responding to this Request for Proposals ("RFP") will be referred to as the "Bidder" and the firm selected to provide services to the City of Rockland, together with its owners, officers, employees, agents, and/or subcontractors, will be referred to as the "Contractor".

- B. **Bid Opening Award:** All bids shall be sealed, delivered no later than, and opened at, **2:00 PM on Thursday, July 18, 2024**. Pursuant to the Rockland Code of Ordinances, Ch. 2, Art. V, the City reserves the right to award this bid to the City's best interests, shall discuss, in light of bid price options, the reputation and past performance of the Bidder(s), and other factors. The City reserves the right to award this bid on an item-by-item basis, a group of items or all items, whichever the City deems to be in its best interest, price and other factors considered, individually or collectively. The City reserves the right to reject any or all bids, in whole or in part, and is not obligated to accept the lowest bid if that bid is contrary to the best interests of the City, in the sole discretion of the City. A bid may be rejected if it is in any way incomplete or irregular; however, the City reserves the right to waive minor irregularities.

Fixed price bid operations will be valid through 3:00 PM Wednesday, July 24, 2024. The City will have the option to lock in at the fixed price and issue an award letter or purchase order within the indicated time period, whichever method is deemed to be in the City's best interest at the time.

Pursuant to the Rockland Code of Ordinances Ch. 2, Art. V, § 2-109(b), the City may give preference to local bidders if the difference between bids submitted by a company located in Essex County and to who pays excise tax on their vehicles in Essex County and those not located in Essex County is five percent (5%) or less. If the two lowest bids are within 5% of each other and have each been submitted by companies located in Essex County, then price, quantity, quality, and reliability of past or expected service shall be the only consideration in awarding the bid, or in deciding to reject any and all bids.

- C. **Cost of Preparation:** Bidder assumes all of its costs of preparing its bid, and of any presentations, correspondence, negotiations, documentation, and any other action undertaken by the Bidder with respect to its bid, and the award of the Contract.
- D. **Authority to Bid:** Bidder's submission of a signed bid or proposal in response to this solicitation is a representation and certification that Bidder, and its agent submitting the bid, is authorized to bid and to perform all terms and conditions in the event Bidder is awarded the Contract.
- E. The City is requesting pricing for fuel for all locations described in the Specifications as follows:
1. a firm differential over source price or a firm differential under net at the pump prices;
 2. a fixed price proposal option;
 3. a fixed price pay-as-delivered option, and/or
- F. **Performance Bond:** Should the City select the Fixed Price Pay-As-Delivered option, the Contractor will be required to provide a 100% performance bond with a declining balance from a bonding company recognized in all facilities in the State of Maine. The value of the bond may be reduced by the amount delivered. If the Contractor offers Fixed Price Pay-As-Delivered, a performance bond will not be necessary.
- G. **Estimated Requirements:** The estimated requirements are based on last season's fuel purchases and are