



**Purchasing Division**  
100 City Hall, 411 W. 1st Street  
Duluth, MN 55802-1189  
TEL. 218-730-5340  
[purchasing@duluthmn.gov](mailto:purchasing@duluthmn.gov)

**INVITATION TO BID**  
**SERVICE STATION FUELS**

**BID NUMBER: 21-AA27**

**BID OPENING: ~~Thursday~~ <sup>Tuesday</sup>, October 19, 2021 at 2:00 PM**

**PROJECT DESCRIPTION:** The City of Duluth has the need to establish a contract for refueling various department vehicles en route at service stations throughout the city. In 2020, the City purchased approximately 325,000 gallons of service stations fuels. Of that total, approximately half were diesel sales and half were regular unleaded.

It is anticipated that the resulting contract will be a one (1)- year contract with four (4) one-year renewal options. Please see the attached requirements for more information.

**\*\*\* NOTE** The lowest responsible bid will be determined by calculating the lowest overall cost to the City, factoring in the bid price, location and accessibility of service stations, card security features, and data capabilities. **\*\*\***

**QUESTIONS:** Please submit any questions via e-mail to [purchasing@duluthmn.gov](mailto:purchasing@duluthmn.gov). Responses will be posted on the website (<https://www.duluthmn.gov/purchasing/bids-request-for-proposals/>) under Current Bids and Projects, Solicitation 21-AA27 as an addendum to this solicitation.

**INSTRUCTIONS TO BIDDERS:**

Sealed bids may be mailed to the Purchasing Office, City Hall, 411 West 1st Street, Room 120, Duluth, MN 55802 or dropped off in person at the same address. Bids must be received in Purchasing before 2:00 PM local time on the bid opening date specified on the Invitation for Bids. The City of Duluth reserves the right to split the award where there is a substantial savings to the City, to waive informalities and to reject any and all bids. Do not include federal sales tax in the unit price. Price may not be the only consideration for bid award. Bids must be firm for a minimum of 60 days.

It is the bidder's responsibility to ensure they have received, reviewed and acknowledged any all bid documents, including any addenda. Bidders can sign up for e-mail notifications by visiting <https://www.duluthmn.gov/purchasing/> and clicking the "Register Online" link in the first paragraph.

**Acknowledgment of Addendum** – any changes to this solicitation will be announced via Addendum. Bidders must indicate that they have reviewed each addendum by initialing and dating on the bid form where indicated and including the acknowledgment with your bid when submitted. Failure to acknowledge all addenda may result in your bid being deemed non-responsive.

**Declaration of Non-Collusion** – The successful bidder shall be required to execute the attached declaration stating that he/she has not entered into a collusive agreement with any other person, firm, or corporation in regard to any bid submitted. Submitting this form with your bid will assist in expediting the process.

## REQUIREMENTS

### 1. Service Station Fuel and Requirements:

- a. To provide efficient access to fuel, the city requires qualifying locations throughout the City of Duluth.
  - i. To be a qualifying location, a station must have a canopy height of fourteen (14) feet or higher and a fuel aisle width of twelve (12) feet or wider to accommodate large trucks and heavy equipment.
  - ii. To be a qualifying location, a station must offer a variety of fuel types including:
    1. On-road Ultra Low Sulfur Diesel — required product
    2. Standard on-road Gasoline (87 octane) — required product
    3. Non-Oxygenated Premium Gasoline — optional product
    4. E85 (not required at all stations) — optional product
    5. Diesel Exhaust Fluid – optional product
- b. Vendor must have at least one station with 24-hour access to fuel in each of the following areas:
  - i. Central Entrance/Mall Area
  - ii. Central Hillside
  - iii. West Duluth Area
  - iv. East Duluth Area
- c. Furnish the name, address, days and hours of operation (including pay at the pump), canopy height, pump aisle width and fuel products provided at each qualifying location. Response must include the date of last pump calibration and frequency of pump calibration. Summer and winter grade diesel change dates need to be stated in the bid.

### 2. Pricing Structure:

- a. To facilitate the accurate comparison of bids, please submit pricing in terms of Rack plus Cents Added, even if you invoice as a percentage discount off the pump price. For ease of comparing prices, provide the refinery's product rack price for the period September 25 through October 1. Please name the supplying refinery in the bid.
- b. As a governmental organization, the City of Duluth does not pay federal fuel taxes. The card provider will be responsible for addressing federal fuel tax exemptions. Please state if discount is calculated before or after the tax is removed.
- c. Please provide your invoice pricing structure (i.e., Rack Plus Cents, Cents Off Retail, etc.). If different from Rack Plus Cents, please provide the calculation for converting from your invoice pricing structure to the Rack Plus Cents bid amount.
  - i. If invoicing is based on a calculation from Retail, please provide your average retail price from 9/25 – 10/1/21.
  - ii. Does the retail price vary between stations? If so, please provide an average retail price from 9/25 – 10/1/21 for EACH of your stations.

- d. List any applicable fees, if any.

3. Invoicing:

- a. The City of Duluth requires a monthly billing cycle with billing periods running from the first day of the month until the last day of the month. Please confirm vendor is able to meet these dates.
  - i. The preferred billing cycle time is from 12:00 AM on the first of the month until 11:59 PM the last day of the month. If vendor is unable to meet this billing cycle time, please provide an alternate time.
- b. How soon after the end of the billing cycle will invoices be available?
- c. What are your company's payment terms? The city prefers a net 30 payment structure with all discounts, if any, included.
- d. A detailed invoice listing transaction date and time, driver ID, asset number and odometer reading, station location, fuel type, per-gallon and total net cost, and total gallons must be provided. Please provide a sample invoice.

4. Fleet Management Information System Integration:

The City requires a data transfer file that can be uploaded into Collective Data for integration into our existing system.

- a. A flat file with fuel transactions is uploaded at the end of each month (see attached sample). Can you provide a flat file in this format with only the transactions from the previous billing period? If not, what format do you have available?
- b. Net fuel cost must exclude federal fuel taxes and include any discounts on fuel price.
- c. Does your company have experience preparing fuel transaction records for upload to the Collective data system?
- d. How soon after the end of the billing cycle will the data transfer file be available?

5. Report Capabilities:

- a. The city requires online access to reports with the following information:
  - i. Transaction date, time and fueling station location.
  - ii. Fuel type, quantity and per-gallon and total net cost.
  - iii. Fuel card number.
  - iv. Vehicle asset number.
  - v. Employee ID number.
- b. Online reporting must provide access to a minimum of two years of transactions.

6. Security Controls:

- a. To meet audit requirements, the city requires certain information be collected at the pump:
  - i. A four digit employee ID number
  - ii. A four- or five-digit vehicle asset number (this should be programmed into the card)

- iii. The vehicle's current meter reading.
  - b. Can you collect this information with each fuel card transaction? Can you validate employee ID number against approved ID numbers?
  - c. Fuel cards may only be used for fuel transactions. Can you restrict card use to only fuel purchases?
  - d. An online interface to allow updates to employees is preferred. Can you provide that?
7. Fuel Cards:
- a. The city will require approximately 600 fuel cards.
  - b. Card must indicate that the card belongs to the City of Duluth.
  - c. Card must be embossed with the vehicle's asset number.
  - d. All cards must be set with matching expiration date. Expiration date must be at least two years after the date the first card is issued.
8. Accidental Spills: Explain in the bid who is responsible for spills that occur at the pumps, recommended clean up procedures, reporting to proper authority and disposal of clean up wastes.
9. Guaranteed Supplier(s): List name(s) and address(s) of both your primary and emergency back-up suppliers.
10. Initial Startup
- a. For initial startup, the City will provide a list of asset numbers. Awarded vendor will need to assign the asset number to a credit card number and upload both into the system.
  - b. The City will provide a list of driver names and PIN numbers of authorized purchasers. Awarded vendor will need to upload the information into the system, and be able to verify purchasers are authorized to purchase fuel at the time of purchase.
  - c. If new fuel cards are required, the City expects new cards be distributed before and active as of 12:00 AM on 1/1/22. Can you meet this deadline? If not, please indicate earliest deadline you can meet.

**BID FORM**  
**BID # 21-AA27**  
**SERVICE STATION FUELS FOR 2022**

ITEM	Rack price per gallon 9/25 – 10/1/21	Cents per gallon above rack price
Ultra Low Sulfur Diesel	\$	\$
Standard On-road Unleaded Gasoline (87 octane) – list % ethanol _____	\$	\$
Non-oxygenated Ethanol Free Premium Gasoline _____	\$	\$
Diesel Exhaust Fluid	\$	\$

Supplying Refinery used for your bid \_\_\_\_\_  
Please complete all information requested on page 2.

**ACKNOWLEDGMENT OF ADDENDA**

ADDENDUM #	INITIAL/DATE
ADDENDUM #	INITIAL/DATE
ADDENDUM #	INITIAL/DATE

Signature \_\_\_\_\_ Date \_\_\_\_\_

Name/Title \_\_\_\_\_

Company Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Tel. \_\_\_\_\_ E-Mail \_\_\_\_\_

If your organization is certified as a Disadvantaged Business Enterprise, please check here: ☐

1. List summer and winter grade diesel change dates: \_\_\_\_\_
2. List names and addresses of your primary and back-up suppliers:

Name	Address

3. Please attach a service station listing with information requested in item #1 of the Requirements.
4. Please provide all information requested in the Requirements. A Microsoft Word version has been provided to allow you to enter the information directly into the form. Do not modify the existing Requirements language. The completed requirements form must be submitted with your bid.

Field	Start	Length	Notes	Description
<b>Transaction Records</b>				
STORE	1	3		Location number
FILLER	4	1		
VEH_NO	5	4		Vehicle number keyed at location
FILLER	9	1		
LICENSE	10	4		Driver number keyed at location
FILLER	14	1		
TRANS_DATE	15	10	MM/DD/YYYY	Transaction Date
FILLER	25	1		
TRANS_TIME	26	5	HH:MM (24 hr.)	Transaction Time
FILLER	31	1		
PRODUCT	32	2		If diesel, then 16, DEF additive 22, else 04.
FILLER	34	1		
QTY	35	8	Last character (42) is sign (-) if negative	Gallons
FILLER	43	1		
MILES	44	6		Odometer reading keyed at location
FILLER	50	1		
<u>TICKET</u>	51	6		Combination of 4 digit location number and last 3 digits of account number
FILLER	57	1		
EMP_ID	58	6		Spaces
FILLER	64	1		Driver ID
RACK	65	7	Posted price/Retail PPG + inspection fee	Rack Price
FILLER	72	1		
STATE	73	7		State Tax
FILLER	80	1		
MARKUP	81	7		Markup Fee
FILLER	88	1		
CLEANUP	89	7		Cleanup Fee
FILLER	96	1		
INSPECT	97	7		Freight Rate
FILLER	104	1		
OFFROAD	105	7		OffRoad Fee
FILLER	112	1		
EXTENDED	113	5		Rack thru OffRoad summed up
FILLER	118	1		
PRICE	119	7	Last character (125) is sign (-) if negative	Extended times gallons
FILLER	126	1		
MERCHANDISE	127	8	Last character (134) is sign (-) if negative	Uses Holiday internal PRICE due to Fed Tax I
FILLER	135	1		
REBATE	136	1	Y=Yes (Rack used), N=No (Retail PPG)	Merchandise amount 2 decimal places
FILLER	137	1		
FEDTAXEXEMPT	138	6	Last character (143) is sign (-) if negative	Rebate indicator - affects rack price above
				Federal Tax Exempt amount - 2 decimal places
<b>SUMMARY LINE</b>				

Summary indicator	1	5 *****
BATCH_DATE	6	10 MM-DD-YYYY
BATCH_TRANSACTIO	30	4 Leading spaces
BATCH_GALLONS	49	9 Leading spaces
BATCH_COST	66	13 Leading spaces and \$





## GENERAL BID SPECIFICATIONS

Purchasing Division  
120 City Hall, 411 W. 1st Street  
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TEL. 218-730-5340  
purchasing@duluthmn.gov

1. General. This document covers quotes or bids requested by the City of Duluth ("City"), including those requested on behalf of its Agents and Authorities. Each authority may issue their own purchase order or contract and will be responsible for it. The City of Duluth Authorities are as follows:
  - a. Duluth Airport Authority
  - b. Spirit Mountain Recreational Area Authority
  - c. Duluth Entertainment and Convention Center
  - d. Duluth Transit Authority
  - e. Duluth Economic Development Authority
  - f. Duluth Housing and Redevelopment Authority
2. Investigation by Bidders. Bidders are responsible for thoroughly reading and understanding the information, instructions, and specifications contained in this Invitation for Bids, and for investigating the site conditions at the Project location(s), if applicable. At the time of the opening of bids, each bidder will be presumed to have read and to be thoroughly familiar with the plans, specifications and contract documents (including all addenda). The failure or omission of any bidder to examine any form, instrument, or document shall in no way relieve the bidder from any obligation in respect to their bid.
3. Bidder Questions. Responses to general questions regarding the Invitation for Bids may be made at the discretion of the City. Every request for such interpretation should be in writing and delivered via e-mail or postal mail to the Purchasing Division before the deadline indicated on the Invitation for Bids, or if no deadline is specified, at least five (5) days prior to the scheduled bid opening. Responses will be issued in writing in the form of an Addenda or e-mail to prospective bidders.
4. Changes, Corrections & Withdrawal of Bids. Erasures or other changes to the bid must be initialed and dated, however no special conditions shall be made or included in the bid form by the bidder. Bidders may make requests to withdraw/replace their bids by notifying the Purchasing Division in writing prior to the bid opening date and time.
5. Unit Pricing. If the total bid price is based on unit pricing, the City will verify the extended bid price for each item (obtained by multiplying the unit bid price by the bid item quantity). If any item is incorrectly calculated, the City will use the unit bid price to recalculate the extended item price and the total bid price.
6. Sales Tax. Do not include sales tax in the unit price. A sales tax exemption certificate will be provided upon request.
7. Bid/Quote Submission. Bids may be mailed to the Purchasing Office, City Hall, 411 West 1st Street, Room 120, Duluth, MN 55802, or dropped off in person at the same address. Bids must be received by Purchasing before the time and date specified in the invitation for bid.
8. Non-Collusion Clause. By submitting a bid, the bidder, their agent and/or employee(s) hereby affirm that the attached bid or bids have been arrived at by the bidder independently and have been submitted without collusion with, and without agreement, understanding or planned common course of action with any other vendor of materials, supplies, equipment or services described in the Invitation for Bids, designed to limit independent bidding or competition.
9. Award. Award, if made, will be to the responsible bidder submitting the lowest bid which complies with the conditions of the Invitation for Bids and specifications.
10. Bidder Qualifications. Per Sec 41.23(e) of Duluth City Code, price may not be the only consideration for award. The City will make such investigations as deemed necessary to determine the ability, capacity and skill of the bidder to perform the work and perform it in the time specified without delay or interference, the character, integrity, reputation, judgment, experience and efficiency of the bidder, the quality of the bidder's performance of previous contracts or services, and the sufficiency of the financial resources, equipment available and ability of the bidder to perform the contract. Bidders shall furnish to the City all such information and data for this purpose, when requested.

Minnesota law requires that, in order to transact business in the State, including submitting a response to this request for bids/proposals, a corporate entity of any kind must either be organized under Minnesota law or have a Certificate of Authority from the Minnesota Secretary of State to do business in Minnesota (M.S. 303.03) By submitting this bid/proposal as a corporation, you are certifying that the responding corporation complies with this requirement.
11. Rejection of Bids. The City of Duluth reserves the right to reject any and all bids and to waive any informalities or irregularities in bids received whenever such rejection or waiver is in its best interests.

The City reserves the right to reject any bid if the evidence obtained by the City through such investigation fails to satisfy the City that the bidder is properly qualified to carry out the obligations of the contract and to complete the work as required by the plans and specifications.
12. Liquidated Damages for Failure to Enter into Contract. The successful bidder, upon their failure or refusal to accept a purchase order or execute and deliver the contract, proof of insurance and bonds required within 10 days after receipt of a notice of the acceptance of their bid, shall forfeit to the City, as liquidated damages for such failure or refusal, the security deposited with their bid (if required).
13. Equal Employment Opportunity. Contractor will be required to comply with all applicable Equal Employment Opportunity (EEO) laws and regulations. Affirmative action must be taken to insure that the employees and applicants for employment are not discriminated against because of their race, color, creed, sex or national origin. The City of Duluth is an equal opportunity employer.
14. Quantities. The City reserves the right to increase or decrease the quantities of items within reason, unless otherwise noted.
15. Prevailing Wages. Per Sec 2-26 of Duluth City Code, payment of not less than the prevailing wage and salary rates specified in the contract documents and the conditions of employment with respect to certain categories and classifications of employees is required for all "Public Works" type projects estimated to exceed \$2,000. This does not apply to off-site production and manufacturing of parts and supplies.
16. Validity of Bids: All bids must remain firm for 60 days from the date of bid opening, unless another period is noted in bid documents or if an extension is agreed upon, in writing prior to the end of the 60-day period.
17. Insurance. All vendors doing work on City property, except vendors making routine deliveries, shall submit an insurance certificate verifying insurance coverage as per current City requirements.
18. Reports. Contractors will be required to provide all data required by the city, state or federal funding source(s) for reporting purposes; including, but not limited to job creation and retention data, itemized invoices, payroll records, certifications and licenses.

## **DECLARATION OF NON-COLLUSION**

I hereby swear (or affirm) under penalty of perjury:

- 1) That I am the bidder (if the bidder is an individual), a partner in the bidder (if the bidder is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the bidder is a corporation);
- 2) That the attached bid or bids have been arrived at by the bidder independently and have been submitted without collusion with and without agreement, understanding, or planned common course of action with any other vendor of materials, supplies, equipment or services described in the invitation to bid, designed to limit independent bidding or competition;
- 3) That the contents of the bid or bids have not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder or its surety on any bond furnished with the bid or bids and will not be communicated to any such person prior to the official opening of the bid or bids;
- 4) That a family relationship between a City of Duluth employee and bidder/proposer are in non-collusion; and
- 5) That I have fully informed myself regarding the accuracy of the statements made in this declaration.

Signed: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Bidder's Federal Identification Number \_\_\_\_\_