



**IFB 22-004 – ONLINE BIDDING FOR COOPERATIVE PURCHASE OF  
ULTRA-LOW SULFUR DIESEL (ULSD)  
(REVERSE AUCTION)**

**ADDENDUM 2: Q&A  
March 22, 2022**

This Addendum answers questions submitted by the March 17, 2022 deadline for questions.

**Questions** are in bold, **Answers** are in red. Where multiple questions were submitted addressing the same topic, they have been grouped under a single number.

General Questions

1. **Please provide the most current and latest Bid Tabs and Awarded Vendors by Terminal/Delivery Method or provide online access to those documents. Please provide the most recent tabulations for this contract. Please provide all bid submission and contract documents from the last awarded bidder.**
  - a. **The Participating Agencies have had multiple contracts. COG will not provide prior tabulations.**
2. **Please provide a recent invoice for this contract.**
  - a. **The Participating Agencies have had multiple contracts. COG will not provide prior invoices.**
3. **Please provide bill of ladings for all fuel grades on this solicitation.**
  - a. **The Participating Agencies have had multiple contracts. COG will not provide bills of lading.**
4. **Who is the current vendor?**
  - a. **The Participating Agencies have had multiple contracts.**
5. **Is the awarded vendor required to deliver to every entity that desires to attach to the contract?**
  - a. **It is expected that an awarded vendor for a given zone will contract with any Participating Agencies in that zone.**
6. **Does the awarded vendor have the authority to put an entity on a credit hold if they are not paying within the established payment terms, assuming all supporting documentation has been submitted?**
  - a. **Yes; this should be included as part of the negotiated contract terms.**
7. **Can the awarded vendor have the ability to charge interest on invoices not paid within the payment terms assuming all supporting documentation has been submitted?**
  - a. **Yes; this should be included as part of the negotiated contract terms.**

8. Would the MWCOG consider extending the due date?
  - a. No. Qualifications must be submitted by 2:00PM ET on March 29.
9. What is the expected start date for deliveries?
  - a. This will vary depending on individual Participating Agencies, based upon their current contracts and needs.
10. Will bids be considered responsive if electronic signatures are used? (i.e. DocuSign) or are wet signatures required for bids to be considered responsive?
  - a. Yes, electronically signed qualifications will be considered responsive.
11. Can you please confirm there are no bonding requirements for the solicitation? (Bid, Performance, Payment, etc...)
  - a. There are no bonding requirements for this solicitation.

### Section III, Specifications

12. Will you accept up to 5% bio diesel in your diesel fuel?
  - a. No.
13. “Contractor must provide traceability on all shipments back to a refinery or within five business days upon request from Participating Agency” Given the bulk nature of the Product (including storage and transportation), we will not be able to trace the Product to a particular refinery. What is the expectation of COG for this requirement for this IFB?
  - a. This sentence was included in this IFB in error, and shall be considered deleted.

### Section VII, Pricing

14. For the weekly OPIS pricing, it states to use the Monday published price. Please verify if that is to be the OPIS weekly publication, or the OPIS daily price for Monday.  
 What is the start day for the weekly pricing? Monday – Sunday? Tuesday-Monday?  
 Please confirm that this contract is weekly OPIS pricing based on Monday published prices.  
 Please clarify which Baltimore OPIS pricing index average these prices are based off of?  
 Is the pricing based on the OPIS Contract average (10am posting)?  
 Is the pricing based on the Calendar day Average (11:59 pm posting)?  
 Is the pricing based on the closing Average (4:59 pm posting)?  
 Please confirm that the Baltimore OPIS posting for Monday will be the posting used until the following Sunday at 11:59 pm.
  - a. Pricing should be based upon the OPIS weekly average (branded & unbranded) price for ULSD No.2 fuel, as listed in the PADD 1 Report (Baltimore Average), published on each Monday of the month.
15. Does the Metropolitan Washington Council of Governments expect to only pay the Monday OPIS but plans to request fuel delivery at any time as indicated by the documentation?
  - a. Pricing shall be as set forth above.
16. Please provide examples or illustrations of revised pricing for winterized diesel.
  - a. If the Participating Agency requests “winterized” diesel fuel, pricing shall be calculated from the Ultra-Low Sulfur Winter Distillate No. 2 average price, rather than the No. 2 average price.
17. Will volumes be ratable daily and weekly?
  - a. Only annual volumes are provided as part of this specification.

18. Is every requested load expected to be priced online with the lower bidder receiving the load?
- a. No.
19. Is it correct that the Metropolitan Washington Council of Governments would pay no more than \$100 dollars for rerouting a no fit?
- a. Participating Agencies will pay no more than \$100 for rerouting a no fit.

#### Section VIII, Taxes

20. Should taxes be included in the reverse auction price?  
Should applicable taxes/fees (Federal LUST [0.0010], Federal Oil Spill [0.00214], State of VA LUST [0.0020], State of MD Oil Spill [0.001905], and State of MD Motor fuel [0.3685 – exempt with proper licensing proof]) be included in the pricing, or are they to be itemized as separate line items on invoices?
- a. Applicable taxes and fees should be listed separately and should not be included in pricing.
21. Please provide tax exemptions / certificates.
- a. Tax exemption certificates will be provided by individual jurisdictions upon contract award.

#### Section X, Emergency Accelerated Delivery

22. The bid states in an emergency situation, vendors shall respond to a call within a two (2) hour period (“Emergency Accelerated Delivery”). Please clarify ‘respond’. Are deliveries to be made within the two hour window? Or is a response to the call required within two hours and delivery made as soon as possible?
- a. The requirement for response is acknowledgement of the request, with delivery to be made as soon as possible, based upon the nature of the declared emergency and feasibility of delivery.
23. The bid states in other than an emergency situation, contractor is expected to respond within a twenty-four (24) hour period, but also states that orders placed by 10 am are to be delivered by 4 pm the following day, and orders placed after 10 am are to be delivered within 32 hours of order on a normal working day. Again, please clarify ‘respond’ as there are clear discrepancies.
- a. The requirement is acknowledgement of the receipt of the order.
24. Due to continued driver shortages and supply issues, will exceptions to the requested delivery time from time of order be considered?
- a. This must be evaluated on a case-by-case basis. If a Bidder wishes to take a blanket exception and offer a different service level or response time, this must be included as part of the submission of qualifications and will be evaluated therein.

#### Section XII, Award

25. Please clarify that agencies may choose one of the participating vendors and not necessarily the lowest price vendor.
- a. Price is a key factor in determining award. As noted in the IFB, Participating Agencies may have additional factors beyond price that they will take into account in making individual awards.

Section XIII, Bid Qualification Form

26. Will we have to bid both Will Call and Auto Delivery options to be considered for a Truck Transport award?  
a. No.
27. Will we have to bid all Zones to be considered for a Truck Transport award?  
a. No.
28. "Net Price Differential to be charged" ... Please clarify if Tank Wagon gallons are billed temp corrected net or gross? Typically, TW fuel is billed on gross gallons. Unless by net, it is meant all inclusive.  
a. The Net Price Differential is to be all-inclusive of the markup above or below the OPIS rate. See Section VII of the IFB.

Attachment A, Terms and Conditions

29. Is COG currently aware of any unique contractual requirements with the participating agencies such as clarified for Montgomery County? For example, are any of the existing agencies providing goals or requirements for MWBE participation?  
a. No agency other than Montgomery County has provided goals or requirements for MWDBE participation.
30. Are the contract extensions beyond the initial term mutually agreed upon?  
Is a renewal of a contract mutual between the vendor and the agency or unilateral with the agency decision only?  
a. Extensions will be by mutual agreement.
31. Have you or your participants ever had cause to cancel a contract for convenience?  
a. Yes.
32. Please clarify if the COG fee of .0015 per sold gallon and the consultant fee of .0149 per sold gallon is included in the bidder's differential or is a separate line itemed on the invoice and not considered included in the bid differential.  
Should the eBridge fee of .0149 per gallon be outlined as a separate line item or included in the bid price?  
Please confirm that there is a \$.0149 eBridge reverse auction fee per gallon for the entirety of the contract whether that be 1 year or 5 years through the four 1-year extensions.  
Please confirm that there is a \$.0015 COG fee per gallon for the entirety of the contract whether that be 1 year or 5 years through the four 1-year extensions.  
a. The pricing submitted should include the fees set forth.
33. Is the fee paid to COG by the contractor(s) .0015/gallon for all participants? Or is there a tiered system based on volumes sold?  
a. The fee paid is constant for all sales and does not vary based upon volumes sold.
34. Do you consider common carriers as subcontractors?  
a. Yes.
35. The bid states that if the vendor is going to use common carriers, they must notify the participating agency. Should a note be included with the submission to inform ahead of time to be pre-approved?

- a. This is encouraged after the award should an issue arise with a particular delivery. This is encouraged for any special delivery requirements or equipment needed for a delivery.
36. “Where a participating agency selects the option to deliver their own fuel to selected locations, the contractor will be notified of the locations selected prior to initiation of the contract, or subsequently by amendment, or as mutually agreed upon.” This statement appears to be that some agencies have their own or 3rd party trucks and will lift FOB at the rack. Is this currently limited to Fairfax County? Please clarify.
- a. Currently, this is limited to Fairfax County.
37. “The contractor must ensure that its trucks can connect to the tank fill ports at each site. Any modifications will be at contractor’s expense.” Please identify any non-standard or 2 inch fill ports existing now for transport delivered tanks.
- a. That information is not directly available. As per Section VI, bidders are strongly encouraged to visit premises and familiarize themselves with potential delivery locations.
38. How often have you or your participants had to implement penalties for late deliveries?
- a. We are unable to provide that information.
39. Please confirm that any delivery over 24 hours late from when it was ordered for will include a charge of \$100 per day, until it is delivered.
- a. As set forth in paragraph H of the Terms and Conditions, that is correct.
40. Please confirm that vendors may allow ACH or check payments only and disallow all P Card and SUA payments. Although convenient and promoting faster payments, the fee structure required for P card and SUA payments is prohibitive in commodity pricing, costing upwards of .09 cents per gallon. That could result in a \$675 finance fee for a single load of fuel. Please consider removing that payment option for this solicitation or provide direction on the correct method of disallowing them in our offer.  
Please confirm that payment in form of a P card must be accepted by participating vendors for this contract.  
If we are only able to accept the ACH payments and not the P-Card or SUA methods, will we still be considered for an award? Should we specify this information in our submission?
- a. Upon review, Paragraph W of Attachment A, requiring P-Card or SUA Payment Methods, is deleted from the IFB.

Attachment B. Agency and Zone Information

41. What is the average load size for the Transport deliveries (to tanks with capacity of 7,500 gallons or more or sites with multiple diesel tanks totaling capacity of 10,000 gallons or more)?
- a. We are unable to provide average loads.
42. Many sites do not specify tank type. Please confirm if tanks are above (AST) or below (UST) ground.
- a. That information is not available or was not provided. As per Section VI, bidders are strongly encouraged to visit premises and familiarize themselves with potential delivery locations.
43. Per bid, Truck Transport delivery is to sites with a tank capacity of 7,500 or multiple tanks combined to 10,000 gallons or more. Many sites with smaller tanks are marked for

transport delivery. Some sites with the large tank capacities are marked as tank wagon. Are these due to space restrictions? Some sites are not labeled with either. Please verify Transport and Tank Wagon sites.

- a. That information is not available or was not provided. As per Section VI, bidders are strongly encouraged to visit premises and familiarize themselves with potential delivery locations.

44. Not all sites specify Auto delivery or Will Call. Some list neither, some list both. Please verify which sites intend to use Auto delivery and Will Call.

- a. That information is not available or was not provided. As per Section VI, bidders are strongly encouraged to visit premises and familiarize themselves with potential delivery locations.

45. Many sites have no annual usage estimates. Please verify.

- a. That information is not available or was not provided. As per Section VI, bidders are strongly encouraged to visit premises and familiarize themselves with potential delivery locations.

46. Regarding automatic delivery versus will call, if a site is listed as will call can they request to change to auto deliveries? If a vendor was awarded on will call, but either was not awarded or did not bid on auto delivery, how would this be handled?

- a. This would be evaluated on a case by case basis. Bidders are encouraged to bid on both options.

47. Will above ground tanks require the delivery truck to provide a pump for offloading?

- a. That information is not available or was not provided. As per Section VI, bidders are strongly encouraged to visit premises and familiarize themselves with potential delivery locations.

48. Please provide information on automatic delivery gauges/software, if indicated.

- a. MNCPPC: Not automatic yet but expect to be moving in the next few years.  
Montgomery Co. Fire & Rescue: Veeder Root TLS-350 consoles, emailing inform reports to contractor.  
Prince George's Public Schools: No ATGs fixed; they upload volumes to the current vendor's website.  
Prince William County: SmartTank ATGs.  
WMATA: No ATGs but may arrange standing scheduled orders.

Attachment F, Financial and Contract Information

49. The bid requests evidence of supply contract with diesel suppliers. Would a signed supply letter from the various suppliers suffice for this?

- a. Yes.

Attachment G, Reverse Auction Information

50. Please confirm Bidders are to "Acknowledge" Attachments G and I on page 15 and not returned executed forms; Attachments G and I were provided as "samples."

- a. Attachment G was not provided as "sample", only the form included as part of Attachment I was. Attachment G should be completed and submitted via email as directed.

Attachment I, Mid-Atlantic Purchasing Team Rider Clause

51. Please confirm if Bidders are to submit executed Attachment I. If so, please provide an Attachment I that is not watermarked "Sample."
- a. As described in Attachment I, the Rider Form is a sample. Actual Rider Forms will be filled out by Participating Agencies as defined in Attachment I. Vendors do not complete Rider Forms.

Attachment J, Montgomery County Information

52. Please confirm an executed Attachment J is required for applicable Minority, Female, Disabled Person subcontractors. Is there a "Goal" for the IFB for Montgomery County or any Participating Agency?  
Are there any DBE (MBE, WBE, MFD, etc.) goals for this solicitation? If there is a goal, what is the goal percentage?
- a. The target goal for Montgomery County is 10%.
53. Attachment J for Montgomery County only: Section 4. Assignment and Subcontracts. Please confirm that we require approval from the County for each subcontractor. Is this approval also required for utilizing carriers (subcontractors) for the transportation of the fuel?
- a. The Contractor is responsible for all subcontractors. The County merely wants to see that each subcontractor can provide current proof of services like those listed in this contract. The County doesn't approve the subcontractors; they just review that they are certified MFD, if applicable. If there are changes to the MFD subcontractors after execution of the Contract, that must be vetted approved by the County, as all performance will be monitored.
54. Is the "Minority, Female, Disabled Person Subcontractor Performance Plan" form to be submitted with the bid?
- a. It should be submitted along with the qualification packet due March 29.