

INSTRUCTIONS AND SPECIAL CONDITIONS

FOR

FUEL ACCESS CARD

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RFX No. 3160002678

1. SCOPE

- 1.1 Purpose. The purpose of this request for competitive bid is to establish a contract for fuel access cards. This bid shall include a contract for the supply of regular unleaded gasoline; unleaded plus gasoline; premium unleaded gasoline; highway, premium highway, and off-road diesel gasoline; and the supply and delivery of consignment fuel at specified locations for the Mississippi Department of Transportation (MDOT) and the Mississippi Department of Corrections (MDOC). **This RFP also requests the additional services of an emergency contingency plan for MDOT which shall be at no additional cost to the State.** (MDOT requires the successful bidder to provide detailed procedures for switching consigned inventory locations to appropriate memo tracking or as necessary authorization to MDOT to manually override the fuel control terminals(s) during emergency/disaster situations, at no additional cost to MDOT.)
- 1.2 Term. The term of the Fuel Access Card Contract shall be effective March 1, 2019 through February 28, 2020 with an option to renew for up to four (4) additional twelve (12) month periods provided, however, that any contract extension shall be at no increase in service fee and shall be agreed to, in writing, by the State and the Contractor. Either party may choose not to renew the agreement with no penalty being applied.
- 1.3 Volume. The total quantity of purchases of any individual item on the Contract is not known. The Office of Purchasing, Travel and Fleet Management does not guarantee that the State will buy any specified item or any total amount. All orders received by the Contractor during the term of the Contract shall be filled in accordance with the terms and conditions hereinafter set forth.
- 1.4 Restriction. No purchases are to be made from this Contract of any service that is not listed or any service that is currently authorized under any Contract awarded prior to this Contract.

2. SPECIAL CONDITIONS

- 2.1 Award Criteria: The award will be made to the best bid or bids meeting the criteria of the specifications and based on what is in the best interest of the State. Factors to be considered in determining the best bid or bids include:

Factors to be considered in determining the best bid or bids include:
 - Price
 - Conformity with Specifications
 - Responsibility of the Bidder
- 2.2 Firm Bid Price Period. Prices quotes shall be firm for the term of the contract except the State shall be advised of, and receive the benefit of, any price decrease.
- 2.3 Price Increase Rejected. Any request for price increase during the term of the contract will be rejected. Should this rejection result in a cancellation of the Contract, a new Contract will be established as per prescribed competitive bid procedures and bids submitted by the Vendor causing cancellation will not be considered. Further, that Vendor shall be removed from the Qualified Bidders List for a period of five (5) full contract years.
- 2.4 Discrimination. The bidder understands that the State is an equal opportunity employer and,

therefore, maintains a policy which prohibits unlawful discrimination based on race, color, creed, sex, age, national origin, physical handicap, disability, or any other such discrimination; and the bidder, by signing this bid, agrees during the term of the agreement that the bidder will strictly adhere to this policy in its employment practices and provision of products or services.

- 2.6 Minority Vendor Status. Bidders should indicate if they are a Minority Vendor. Minority vendor means a business concern that (1) is at least 51% minority-owned by one or more individuals, or minority business enterprises that are both socially and economically disadvantaged, and (2) have its management and daily business controlled by one or more such individuals as ascribed under the Minority Business Enterprise Act 57-69 and the Small Business Act 15 USCS, Section 637(a). MINORITY as used in this provision means a person who is a citizen or lawful permanent resident of the United States and who is: Black Americans - racial groups of Africa; Hispanic Americans - of Mexican, Puerto Rican, Cuban, Central/South America, Spanish or Portuguese culture or origin; Native Americans - origin in any of the original peoples of North America; Asian Pacific Americans - origins of the Far East, Southeast Asia, the Indian subcontinent; Women.

Bidders should indicate on the Bid if they qualify under this section. The Bureau of Fleet Management will include this information in the documents distributed to the agencies and governing authorities.

- 2.7 Suspension and Debarment Certification. By signing the "Invitation to Bid" page, the bidder is certifying that neither the bidder nor any potential subcontractors are debarred or suspended or are otherwise excluded from or ineligible for participation in Federal assistance programs.

3. BID INSTRUCTION

- 3.1 Bid Package. The bid package consists of the following:

- Invitation to Bid
- Instructions and Special Conditions
- Specifications
- Bid Form - Section A - Pricing page
- Bid Form - Section B - Locations
- Bid Form - Section C - References

- 3.2 Bid Form. All information requested on the bid form must be completed. Incomplete or unsigned forms will be cause for rejection. The individual listed as the contract administrator shall be the representative of the bidding company to contact if there are questions or concerns about the bid and/or purchases issued pursuant to any resulting contract. Vendors are required to use only one "payment" point.

- 3.3 Preparation of Bids. In an effort to assure that all requirements are addressed and to assist in the evaluation process, bids shall be submitted in the following format:

- Bid Form - Section C - References shall be completed
- Bid Form - Section A - Pricing- shall be completed
- Bid Form - Section B - Locations shall be completed

- 3.4 Bid Opening. The bid must be received by 2:00 p.m., February 8, 2019.

4. EVALUATION AND AWARD

- 4.1 Rejection. The Office of Purchasing, Travel and Fleet Management reserves the right to reject any bid that contains prices for individual services that are inconsistent or unrealistic when compared to other prices or bids in the same or other bids, if such action would be in the best interest of the State. The State also reserves the right to reject any and all bids or to cancel the procurement in its entirety at the State's sole discretion.

- 4.2 Bidder's Qualification. Bidders must, upon request of the State, furnish satisfactory evidence of their ability to furnish commodities or services in accordance with the terms and conditions of these specifications. The Office of Purchasing, Travel and Fleet Management reserves the right to make the final determination as to the Bidder's ability.
- 4.3 Single Award Preferred. The State shall award a single Contract for all the services listed.
- 4.4 Award Criteria: The award will be made to the best bid or bids meeting the criteria of the specifications and based on what is in the best interest of the State. Factors to be considered in determining the best bid or bids include:

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5. CONTRACT ADMINISTRATION

- 5.1 State. Questions or problems arising from bid procedures or subsequent order and delivery procedures should be directed to the Office of Purchasing, Travel and Fleet Management, 701 Woolfolk Building, Suite A, 501 North West Street, Jackson, MS 39201; Phone: 601-359-3409.
- 5.2 Assignment. No Contract may be assigned, sublet, or transferred without the written consent of the Director, Office of Purchasing, Travel and Fleet Management.
- 5.3 Contract Distribution. After Contracts are awarded, they will be published on the Office of Purchasing, Travel and Fleet Management website at:
<http://www.dfa.ms.gov/Purchasing/Contracts.html>
- 5.4 Billing Instruction. Invoices are to be billed to the individual agencies electronically via the States electronic process. Currently this is with Pay Mode.
- 5.5 Payment. After service has been received and correct invoices submitted to the using agency, it shall be the responsibility of the using agency to make payment electronically via Pay Mode. Any questions concerning payment should be addressed to the user agency listed in the "Invoices To" section of the Purchase Order (Form 20.1).
- 5.6 Bid Tabulation Review. After 2:00 pm, February 8, 2019, the proposals will be considered to be in the evaluation process.

Upon completion of the review and evaluation process the bids shall become public documents to the State of Mississippi and open for review by all vendors that submitted proposals according to the Public Records Act 25-61-1 and the DFA policy. This will be considered to be the evaluation review period.

- 5.7 Bid Review Schedule. Unless otherwise indicated, the following bid review schedule will be adhered to. Any protest or questions concerning the evaluation or award must be received in writing by the Office of Purchasing, Travel and Fleet Management on or before the evaluation review deadline.
- Bid Opening Meeting,
February 8, 2019, 2:00 p.m.
 - Evaluation of Bids: February 8 -20, 2019

- Distribution of Apparent Award: February 22, 2019
- Effective Date: March 1, 2019

This Schedule may be revised to later dates if situations warrant such revisions. Any vendor wishing to be advised of such revisions should submit a letter with their bid which indicates this desire.

6. SPECIFICATIONS

- 6.1 Specifications Based on Standard State Specifications. All items must equal or exceed the specifications listed. The absence of detail specifications or the omission of detail description shall be recognized as meaning that only the best commercial practices are to prevail and that only first quality materials and workmanship are to be used. Bidders must, when requested, submit for bid evaluation applicable descriptive literature and technical specifications covering the vehicle offered. Reference to literature submitted previously will not satisfy this provision