

**WILSON COUNTY INVITATION FOR BIDS
BULK GASOLINE AND DIESEL**



OPENING DATE: 10:00 AM -MONDAY, AUGUST 12, 2019

BID NUMBER 19-1005

SEALED BIDS, SUBJECT TO THE BID DOCUMENTS HERETO ATTACHED, FOR BULK GASOLINE AND DIESEL ARE BEING ACCEPTED AS SET FORTH IN THIS BID DOCUMENT.

BY SUBMITTING A BID, VENDOR HEREBY AGREES TO ALL OF THE TERMS AND CONDITIONS OF THE BID DOCUMENTS, AND TO ALL TERMS AND CONDITIONS OF THE CONTRACT.

OCTOBER 01, 2019 – SEPTEMBER 30, 2020

THIS CONTRACT IS FOR A ONE (1) YEAR PERIOD

VENDOR IDENTIFICATION

Legal Name of Contracting Company

Federal I.D. # (Company Or Corporation)

Social Security # (Individual)

DUNS # (if applicable)

Telephone Number

Facsimile Number

Contact Person

Title

Complete Mailing Address

City & State

Zip

Complete Street Address

City & State

Zip

WILSON COUNTY INVITATION FOR BIDS
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BID SUBMISSIONS

DEADLINE: Bids must be received in the County Auditor's office prior to **9:00 am on Monday, August 12, 2019**. Bids will be publicly opened at 10:00 am or soon thereafter in the Wilson County Commissioners Courtroom, Wilson County Courthouse, 1420 3rd Street, Floresville, Texas 78114. ***Late bids will not be accepted under any circumstances!***

ADDRESS: Sealed bids may be hand-delivered or mailed to County Auditor, Wilson County, 1420 3rd Street, Suite 109, Floresville, Texas 78114.

SUBMITTAL: Completed Bids, original and one (1) copy, must be in a sealed envelope clearly marked with "BULK GASOLINE AND DIESEL ", "BID NUMBER 19-1005", and "AUGUST 12, 2019 at 10 AM" written in the lower left-hand corner of the envelope containing the bid.

METHODS: All bids must be returned in a sealed envelope with the bid name, number, opening date, and time clearly marked on the outside. **If an overnight delivery service is used**, the bid name, number, opening date, and time must be clearly marked on the outside of the delivery service envelope. Facsimile and electronic mail transmittals are not acceptable.

WITHDRAWAL OR ALTERATIONS OF BID

Bids may be withdrawn at any time prior to the official opening. Alterations made before opening time must be initialed by bidder guaranteeing authenticity. After the official opening, bids may not be amended, altered, or withdrawn without the recommendation of the County Auditor and the approval of the Commissioners' Court.

TAX EXEMPT STATUS: WILSON County is exempt from state and local sales and use taxes under Section 151.309 of the Texas Tax Code. This Contract is deemed a separate contract for Texas tax purposes, and as such, the County hereby issues its Texas Exemption for the purchase of any items qualifying for exemption under this agreement. Vendor is to issue its Texas Resale Certificate to contractors and subcontractors for such items qualifying for this exemption, and further, vendor should state these items at cost.

BID REQUIREMENTS

COMPLETED BID: A completed bid means an original bid and one (1) copy must be submitted of each of the following: Vendor Identification (page 1), Bid Submission Form (page 11), Contract page (page 12), Affidavit (page 13), Conflict of Interest Questionnaire (page 14 & 15), W-9 (page 16), Form 1295 Certificate of Interested Parties (Page 17). Each of these must be COMPLETED AND SIGNED. The contract will be binding only when signed by the County Judge, Wilson County.

LEGIBILITY: Bids must be legible and of a quality that can be reproduced. All bid submissions must be typed or printed in ink.

FORMS: All bids must be submitted on the forms provided in the bid document. Changes to the bid forms made by bidders shall disqualify the bid. Bids cannot be altered or amended after the submission deadline.

LATE BIDS: Bids received after submission deadline will not be opened and will be considered void and unacceptable and will be returned to the bidder unopened. Wilson County is not responsible for lateness of mail, courier service, etc.

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GOVERNING FORMS: In the event of any conflict between the terms and provisions of these requirements and the specifications, the specifications shall govern. In the event of any conflict of interpretation of any part of this overall document, Wilson County's interpretation shall govern.

RESPONSIBILITY: A prospective bidder must affirmatively demonstrate bidder's responsibility. A prospective bidder must meet the following requirements:

- Have adequate financial resources, or the ability to obtain such resources as required,
- Be able to comply with the required or proposed delivery schedule,
- Have a satisfactory record of performance, and
- Be otherwise qualified and eligible to receive an award.

Wilson County may request representation and other information sufficient to determine the bidder's ability to meet these minimum standards listed above.

AWARD

CONTRACT PERIOD: This contract is for the period from October 01, 2019 through September 30, 2020.

FUNDING OUT CLAUSE: Notwithstanding any contrary provision of this agreement, each payment obligation of the County created by this agreement is conditioned upon the availability of funds that are appropriated or allocated for **Bulk Gasoline and Diesel**. If such funds are not allocated and available, this agreement may be terminated by the County at the end of the period for which funds are available. The County shall notify the Vendor at the earliest possible time before such termination. No penalty shall accrue to the County in the event this provision is exercised, and the County shall not be obligated or liable for any future payments due or for any damages as a result of termination under this section. This provision shall not be construed so as to permit the County to terminate this agreement in order to purchase **Bulk Gasoline and Diesel**.

CONTRACT AWARD: Criteria utilized by Wilson County for determining the lowest responsible bidder includes, but is not limited to, whether the bidder meets the County's published specifications, 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 which could reasonably be asserted as being relevant to successful performance.

Wilson County does not discriminate on the basis of race, color, national origin, sex, religion, age, and disability in the employment or provision of services or awarding of contracts.

CONTRACT: This Bid, when properly accepted by Wilson County, shall constitute a contract equally binding between the successful bidder and Wilson County.

Vendors are not authorized to officially begin work or make delivery until a contract, signed by the County Judge, is executed. Wilson County accepts no liability of any kind for products or services furnished and/or delivered without proper authorization.

REJECTION OR ACCEPTANCE

A primary, secondary, and/or tertiary award may be made for this bid. Items may be awarded in total or in part at the sole discretion of the County. Bids may be rejected for some items or areas, even though awards are made for others. The convenience of having a single source for similar items will be taken into consideration together with price in determining the lowest and best bid.

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It is understood that the Commissioners Court of Wilson County, Texas, reserves the right to accept or reject any and/or all bids for any or all fuel and/or services covered in this bid request, and to waive informalities or defects in the bid or to accept such bid it shall deem to be in the best interest of Wilson County.

EVALUATION CRITERIA

Criteria utilized by Wilson County for determining the lowest responsible bidder includes, but is not limited to, bidder meeting the County's published specifications, bidder's experience, skill, ability, business judgment, financial capacity, integrity, honesty, possession of the necessary facilities or equipment, previous performance, reputation, promptness, and any factor which could reasonably be asserted as being relevant to successful performance. The County reserves the right to award this contract to the lowest and best bidder(s) in a specific area or areas based on the most convenient location(s) for the using department.

CONTRACT ADMINISTRATION: Under this contract, precinct 1-4 Commissioners of Wilson County shall be the contract administrator with designated responsibility to ensure compliance with contract requirements, such as but not limited to, acceptance, inspection, and delivery. The contract administrator will serve as liaison between Wilson County Commissioner's Court and the successful bidder.

TERMS AND CONDITIONS

CONFLICT OF INTEREST: No public official shall have interest in this contract in accordance with V.T.C.A., Local Government Code §171.002 and §171.003. A conflict of interest questionnaire shall be filled out in accordance with Local Government Code §176.

Chapter 176 of the Texas Local Government Code requires a vendor who enters or seeks to enter into a contract for the sale or purchase of real property, goods, or services with a local governmental entity or local government officer thereof to file a conflict of interests disclosure questionnaire with the governmental entity prescribed.

A Conflict of Interest Questionnaire Form (CIQ) must be submitted with the bid submission.

CERTIFICATE OF INTERESTED PARTIES (FORM 1295)

In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

The Texas Ethics Commission was required to adopt rules necessary to implement that law, prescribe the disclosure of interested parties form, and post a copy of the form on the commission's website. The commission adopted the Certificate of Interested Parties form (Form 1295) on October 5, 2015. The commission also adopted new rules (Chapter 46) on November 30, 2015, to implement the law.

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Filing Process:

On January 1, 2016, the commission made available on its website a new filing application that must be used to file Form 1295. A business entity must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. An authorized agent of the business entity must sign the printed copy of the form and have the form notarized. The completed Form 1295 with the certification of filing must be filed with the governmental body or state agency with which the business entity is entering into the contract.

The governmental entity or state agency must notify the commission, using the commission's filing application, of the receipt of the filed Form 1295 with the certification of filing not later than the 30th day after the date the contract binds all parties to the contract. The commission will post the completed Form 1295 to its website within seven business days after receiving notice from the governmental entity or state agency.

Information regarding how to use the filing application will be available on this site by January 1, 2016; https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm, please follow Instructional Video for Business Entities.

ETHICS: The bidder shall not accept, offer or give gifts or anything of value nor enter into any business agreement with any employee, official or agent of Wilson County.

DOCUMENTATION: Bidder shall provide with this bid response, all documentation required by this bid. Failure to provide this information may result in rejection of the bid.

TERMINATION FOR DEFAULT: Wilson County reserves the right to enforce the performance of this contract in any manner prescribed by law or deemed to be in the best interest of the County in the event of breach or default of this contract. Non-Performance of the bidder shall be a basis for termination of the contract by the County. The County shall not pay for any commodities/services that are unsatisfactory. Vendors will be given a reasonable opportunity before termination to correct the deficiencies. This, however, shall in no way be construed as negating the basis for termination for non-performance.

FORCE MAJURE: Neither party shall be responsible for delays caused by "Acts of God," non-county governmental processes, national emergency or any other causes beyond their reasonable control. Upon the discovery of such an event, the affected party shall notify the other and arrange a meeting to propose a program for a solution to the problem and if necessary, to establish an estimated period of time of suspension or extension of the work.

CANCELLATION OF CONTRACT: Either party may terminate this contact with 60 (sixty) days written notice. Written notice to the County must be sent by certified mail to County Auditor, Wilson County, 1420 3rd Street, Suite 109, Floresville, Texas 78114. Written notice to the Vendor must be sent by certified mail to name and address submitted in the invitation to bid.

This contract will be immediately canceled if it is found by the Commissioner's Court that its continued performance endangers the citizens, personnel, property of Wilson County, or the environment.

INSURANCE: All insurance requirements, including public liability and workers' compensation, as outlined in Texas State Statutes shall be met prior to any delivery and shall remain in effect during the life of the contract. Certification of such coverage must be provided to the County upon request.

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START OF WORK: Vendors are not authorized to officially begin work or make delivery until a contract, signed by the proper parties, is executed. Wilson County accepts no liability of any kind for products or services furnished and / or delivered without proper authorization.

INVOICING: Invoices shall be sent directly to the Wilson County Auditor's office, attention Accounts Payable, 1420 3rd Street, Suite 109, Floresville, Texas 78114. Payments will be processed within thirty (30) days after receipt of invoice or items/services, whichever is later.

Invoices must be itemized. A packing list or invoice shall accompany each shipment and shall show:

- Name and address of vendor
- Name of receiving department
- Date of delivery
- Number of gallons of each type of fuel delivered
- Signature of County employee accepting fuel delivery

PAYMENT: Payment shall be made by check from the County upon satisfactory completion and acceptance of items and submission of the invoice. Payment inquiries should be directed to the Auditor's Office, Accounts Payable: 830-393-7304.

ASSIGNMENT OF CONTRACT: The successful vendor may not assign, sell, or otherwise transfer this contract without written permission of the Wilson County Commissioners Court.

APPLICABLE LAWS: Vendor **MUST COMPLY** with all federal, state, county, and local laws.

SILENCE OF SPECIFICATIONS: The apparent silence of these specifications as to any detail, or the apparent omission from it of a detailed description concerning any point, shall be regarded as meaning that only the best commercial practice is to prevail and that only material and workmanship of the finest quality are to be used. All interpretations of these specifications shall be made on the basis of this statement.

HOLD HARMLESS AGREEMENT: Contractor shall indemnify and hold Wilson County harmless from all claims for personal injury, death and / or property damage arising from any cause whatsoever, resulting directly or indirectly from contractor's performance. Contractor shall procure and maintain, with respect to the subject matter of this bid, appropriate insurance coverage including, as a minimum, public liability and property damage with adequate limits to cover contractor's liability as may arise directly or indirectly from work performed under terms of this bid. Certification of such coverage must be provided to the County upon request.

NON-COLLUSION: The Vendor, by submitting a signed bid, certifies that the accompanying bid is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under Texas or United States law.

ANTI-TRUST LAWS: The Vendor hereby assigns to the County any and all claims for overcharges associated with this contract which arises under the anti-trust laws of the United States, 15, USCA section 1 et seq, and which arise under the anti-trust laws of the State of Texas, Tex. Bus. & Com. Code, section 15.1. et seq.

COST DISCUSSIONS: Prior to the public opening, all bids will remain sealed at the County. During this period, any discussion by any bidder with any employee or authorized representative of the County involving cost information may result in rejection of said bid.

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NON-DISCRIMINATION: The Vendor, during the performance of this contract, will not discriminate against any employee or applicant for employment because of race, religion, sex, national origin, or disability.

WAIVER OF SUBROGATION: By virtue of acceptance of this contract, both vendor and insurance carrier waive any and all rights whatsoever with regard to subrogation against Wilson County as an indirect party to any suit arising out of personal or property damages resulting from vendor's performance under this agreement.

CITIZENSHIP OF EMPLOYEES: The Bidder warrants, by execution of this Bid proposal, that it has complied with all federal laws and requirements therefore regarding immigration and citizenship, and that all employees are qualified as required therein.

QUESTIONS REGARDING BID DOCUMENTS:

Questions concerning this bid should be directed to the County Auditor, at 830-393-7304.

The County of Wilson does not discriminate on the basis of race, color, national origin, sex, religion, age and disability in employment or the provision of services.

WILSON COUNTY RESERVES THE RIGHT TO ACCEPT OR REJECT IN PART OR IN WHOLE ANY BIDS SUBMITTED, AND TO WAIVE ANY TECHNICALITIES FOR THE BEST INTEREST OF THE COUNTY.

DO NOT SIGN OR SUBMIT WITHOUT READING ENTIRE DOCUMENT.

WILSON COUNTY INVITATION FOR BIDS

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SPECIFICATIONS

Vendor submitting a bid shall be a Qualified Wholesale Distributor.

CONTRACT PRICE: Successful vendor(s) prices shall be all inclusive. No price qualifications will be honored during the course of this contract. Pricing on all transportation, freight, drayage and other charges are to be prepaid by the contractor and included in the bid prices. The bid price (contract price) will be tied to the **OPIS PAD 3 report, average, for San Antonio, Texas**. Prices will fluctuate up and down in conjunction with the movement of the AVERAGE COMPOSITE INDEX, however the profit margin for the supplier will remain the same. **THE PROFIT MARGIN FOR THE SUPPLIER SHALL NOT BE CHANGED DURING THE CONTRACT PERIOD.**

PRICE INDEX: The OPIS Average Composite Index prices are published every Monday for the previous Friday through Thursday. The county's bid price (fuel price plus contractor's profit) is based on the prices in this publication. The county shall be invoiced based on these prices.

The following is an example of how you are expected to submit your bid on the Bid Form found on page 11:

TYPE OF FUEL	"OPIS" NATIONAL AVERAGE RACK (PER GALLON) (PRICES CONFIRMED THROUGH 07/03/19)	PROFIT MARGIN FOR SUPPLIER (PER GALLON)	BID PRICE (PER GALLON)
Unleaded Gasoline	\$ 1.9139	\$.02	\$ 1.9339

OPIS averages are based solely on rack and reseller prices. The averages are FOB terminal and exclude freight, taxes, and special discounts.

QUANTITIES: Exact quantities of each type of fuel to be purchased under this contract are not known. A schedule reflecting Wilson County Fiscal Year 2018 (October 2017 –September 2018) usage has been included in your bid document package (see page 10).

DELIVERIES: Deliveries must be made within forty-eight (48) hours after an order is placed. Orders will be placed Monday through Friday. Orders placed on Friday are not required to be delivered until the following Monday, at the earliest. Delivery shall be made during routine business hours (7:30 a.m. to 4:00 p.m.) Wilson County will not accept partial deliveries unless specified at time order is placed. If the vendor is unable to deliver the requested items within the delivery time specified in this contract, Wilson County reserves the right to purchase them from another supplier and, at it's option, to either recover from the vendor as liquidated damages or offset against the price due for fuel subsequently supplied by the vendor any amount by which the cost of such substituted fuel exceeds the contract price which would have been applicable, together with the cost of any incidental expenses reasonable incurred by the County in making such substituted purchase(s) and the amount of any consequential damages allowed by law.

NOTIFICATION OF DELIVERIES: Wilson County requires that vendor notify Wilson County Road & Bridge Department, Central Office, Precinct 1(830) 393, 7441, Precinct 2 (830)484-2595, Precinct 3 (830) 534-9859, and Precinct 4 (830) 996-3300, Sheriff (830) 393-2535, and Health and Public Safety (830) 393-8357 at least one hour prior to each delivery at each location. **Off loading SHALL NOT take place unless a county employee is on site to accept delivery and verify meter readings on fuel truck.**

DO NOT INCLUDE TAX IN THE BID PRICE FOR FUEL! BID ONLY THE PRICE OF THE PRODUCT.

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FUEL SPILLS: Extreme care must be taken by the vendor to avoid fuel spills. The tanker truck must be attended at all times during fuel off loading. Any costs incurred as a result of fuel spills due to negligence on the part of the vendor, its agents or employees, or due to equipment malfunction, will be borne by the vendor and may be grounds for termination of the contract, at Wilson County's option.

NATIONALLY DISTRIBUTED BRAND OR UNBRANDED: Bid products can be nationally distributed brand name (i.e. Chevron, Mobile, Texaco, Exxon, etc.) or unbranded fuel/diesel. The Commissioners Court of Wilson County reserves the right to conduct random testing of said products (or to have such tests conducted on their behalf) to verify that the products delivered are the same as the products bid.

Specifications may reference name brands, however, it is not the intent of Wilson County to restrict these bids in such cases, but to establish a desired quality level of merchandise or to meet a pre-established standard due to like existing items. Bidders may offer items of equal stature and the burden of proof of such stature rests with them. Wilson County shall act as sole judge in determining equality and acceptability of products offered.

HAZARDOUS COMMUNICATION ACT / TEXAS RIGHT TO KNOW ACT: Under the "Hazardous Communication Act", commonly known as the "Texas Right to Know Act", a contractor must provide the County material safety data sheets as is applicable to hazardous substances defined in the Act. Contractors are obligated to maintain a current, updated file in the Wilson County Road and Bridge Department. Failure of the vendor to maintain such a file will be cause to reject any bid applying thereto.

DELIVERY LOCATIONS: Deliveries of gasoline and diesel shall be made to the following locations under the terms of this contract:

	<u>TANK SIZE</u>
<u>Precinct 1</u> – Precinct 1 will do pick up only	N/A
<u>Precinct 2</u> - 1105 Railroad St Poth, TX 78147	500 gal. Unleaded Gasoline 1,000 gal. Off-Road Diesel 2 x 500 gal Highway Diesel
<u>Precinct 3</u> – 511 7 th St., Sutherland Springs, TX 78161	500 gal Unleaded Gasoline 1,500 gal. Off-Road Diesel 2,000 gal. Highway Diesel
<u>Precinct 4</u> – 104 Mesquite, St., Stockdale, TX 78160	750 gal. Unleaded Gasoline 1,000 gal. Off-Road Diesel 1,000 gal. Highway Diesel
<u>Sheriff</u> - 800 10 th St., Floresville, TX 78114	2,000 gal Unleaded Gasoline
<u>Health & Public Safety</u> - 800 10 th St., Floresville, TX 78114	2 x 300 gal. Unleaded Gasoline
<u>IT Department</u> - IT Department will do pick up only	N/A
<u>Maintenance</u> - Maintenance will do pick up only	N/A
<u>Constable 1 & 4</u> - Constable 1 & 4 will do pick up only	N/A
<u>Collection Facility</u> - Collection Facility will do pick up only	N/A

**WILSON COUNTY INVITATION FOR BIDS
BULK GASOLINE AND DIESEL**

ESTIMATED USAGE: Fuel usage by location (10/17-09/18)

<u>LOCATION</u>	<u>TYPE</u>	<u>GALLONS DELIVERED</u>	<u>NUMBER OF DELIVERIES</u>
PRECINCT 1	UNLEADED	2,900	PICK UP ONLY
	HWY DIESEL	4,500	PICK UP ONLY
	OFF-ROAD DIESEL	6,000	PICK UP ONLY
PRECINCT 2	UNLEADED	2,800	15
	HWY DIESEL	6,900	15
	OFF-ROAD DIESEL	13,500	15
PRECINCT 3	UNLEADED	2,200	7
	HWY DIESEL	7,400	7
	OFF-ROAD DIESEL	6,200	7
PRECINCT 4	UNLEADED	4,000	29
	HWY DIESEL	14,200	29
	OFF-ROAD DIESEL	12,700	29
SHERIFF	UNLEADED	53,000	38
	HWY DIESEL	200	PICK UP ONLY
PUBLIC HEALTH & SAFETY	UNLEADED	2,500	5
IT DEPARTMENT	UNLEADED	500	PICK UP ONLY
MAINTENANCE	UNLEADED	1,200	PICK UP ONLY
CONSTABLE 1 & 4	UNLEADED	1,000	PICK UP ONLY
COLLECTION FACILITY	UNLEADED	300	PICK UP ONLY
	OFF-ROAD DIESEL	200	PICK UP ONLY
TOTAL GALLONS PURCHASED:			
	UNLEADED	70,400	95
	HWY DIESEL	33,200	51
	OFF-ROAD DIESEL	38,600	51

Quantities listed above are for the period from October 2017 through September 2018. These are to be used as estimated quantities only – the actual quantity to be purchased may be more or less. The County is not obligated to purchase any minimum amount, and County may purchase any reasonable amount greater than the estimate for the same unit price.

WILSON COUNTY INVITATION FOR BIDS

BULK GASOLINE AND DIESEL

BID SUBMISSION FORM

I, the undersigned, do hereby submit a bid to supply Unleaded, Regular/Mid, Premium Unleaded Gasoline and Diesel to Wilson County for the period beginning October 1, 2019 and ending September 30, 2020, as per the attached bid specifications:

TYPE OF FUEL	“OPIS” NATIONAL AVERAGE RACK (PER GALLON) 07/08/19	PROFIT MARGIN FOR SUPPLIER (PER GALLON)	BID PRICE (PER GALLON)	BRAND / TRADE NAME OF PRODUCTS BID
ULS LED RED DYE LS NO.2 Off-Road Diesel	1.9880			
ULS NO.2 LED Highway Diesel	1.9785			
Unleaded Gasoline, 87 Octane	1.9139			

CERTIFICATION OF BID

The undersigned states that he/she is aware the fact that the amount designated as the “profit margin for supplier (per gallon)” cannot be changed during the term of this contract. Further, the undersigned affirms that they are duly authorized to submit this bid, that this bid has not been prepared in collusion with any other bidder, and that the contents of this bid have not been communicated to any other bidder prior to the official opening of this bid.

Signature of individual authorized to represent bidding firm

Printed name of individual authorized to represent bidding firm

Title of individual authorized to represent bidding firm

Name of bidding firm

Date

**WILSON COUNTY INVITATION FOR BIDS
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ANNUAL CONTRACT

The undersigned agrees, if this bid is accepted, to provide bulk gasoline and diesel in accordance with the requirements set forth in this bid document.

The County reserves the right to accept or reject any bids submitted, and to waive any technicalities in the best interest of the County.

The undersigned, by his/her signature, affirms and represents that he/she is duly authorized to execute this contract and bind the bidder to fully comply with terms and conditions of the attached documents for the amount(s) shown on the accompanying bid sheets. Further, the undersigned affirms and represents that this bid has not been prepared in collusion with any other bidder, and that the contents of this bid have not been communicated to any other bidder prior to the official opening of this bid.

By signing below, you affirm that you have read the entire document and agree to the terms therein.

Signature of Person Authorized to Sign Contract: _____ Date _____

Printed Name and Title of Signer: _____

Name of Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

E-mail: _____

Telephone: _____ Fax: _____

The Commissioners Court of Wilson County, Texas does hereby agree to contract for the gasoline and diesel with _____ for the period between October 01, 2019, and September 30, 2020 in accordance with the requirements set forth in the bid specifications.

PASSED THIS _____ DAY OF _____, 2019

APPROVED:

ATTEST:

RICHARD L. JACKSON, COUNTY JUDGE

EVA S. MARTINEZ, COUNTY CLERK

**WILSON COUNTY INVITATION FOR BIDS
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AFFIDAVIT

STATE OF TEXAS §

COUNTY OF WILSON §

BEFORE ME, the undersigned authority, on this day personally appeared _____
_____ known to me to be the person whose name is subscribed to the following, who upon oath, says:

I am the Manager, Secretary or other agent or officer or the principal of the Bidder in the matter of the bids to which this affidavit is attached, and I have full knowledge of the relations of the Bidder with the other firms in this same line of business, and the Bidder is not a member of any trust, pool or combination to control the price of supplies bid on, or to influence any person to bid or not to bid thereon.

I further affirm that the Bidder has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted bid.

Affiant

SWORN TO AND SUBSCRIBED BEFORE ME by the above Affiant, who, on oath states that the facts contained in the above are true and correct, this ____ day of _____, 2019.

Notary
Commission expires:
Notary Public in and for _____ County, TX

NOTE: BIDS NOT ACCOMPANIED BY THIS AFFIDAVIT WILL NOT BE CONSIDERED

**WILSON COUNTY INVITATION FOR BIDS
BULK GASOLINE AND DIESEL**

<p>CONFLICT OF INTEREST QUESTIONNAIRE</p> <p>For vendor or other person doing business with local governmental entity</p>	<p>FORM CIQ</p>		
<p>This questionnaire is being filed in accordance with chapter 176 of the Local Government Code by a person doing business with the governmental entity.</p> <p>By law this questionnaire must be filed with the records administrator of the local government 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.</p> <p>A person commits an offense if the person violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 2px;">OFFICE USE ONLY</td> </tr> <tr> <td style="padding: 2px;">Date Received</td> </tr> </table>	OFFICE USE ONLY	Date Received
OFFICE USE ONLY			
Date Received			
<p>1 Name of person doing business with local governmental entity.</p>			
<p>2</p> <p><input type="checkbox"/> Check this box if you are filing an update to a previously filed questionnaire.</p> <p>(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than September 1 of the year for which an activity described in Section 176.006(a), Local Government Code, is pending and not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)</p>			
<p>3 Name each employee or contractor of the local governmental entity who makes recommendations to a local government officer of the governmental entity with respect to expenditures of money AND describe the affiliation or business relationship.</p>			
<p>4 Name each local government officer who appoints or employs local government officers of the governmental entity for which this questionnaire is filed AND describe the affiliation or business relationship.</p>			

Adopted 11/02/2005

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CONFLICT OF INTEREST QUESTIONNAIRE

For vendor or other person doing business with local governmental entity

FORM CIQ

Page 2

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Name of local government officer with whom filer has affiliation or business relationship. (Complete this section only if the answer to A, B, or C is YES.

This section, item 5 including subparts A, B, C & D, must be completed for each officer with whom the filer has affiliation or other relationship. 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 from the filer of the questionnaire?

Yes No

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

Yes No

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

Yes No

D. Describe each affiliation or business relationship.

6

Signature of person doing business with the governmental entity

Date

WILSON COUNTY INVITATION FOR BIDS

BULK GASOLINE AND DIESEL

Form **W-9**
(Rev. December 2014)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

Print or type
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
5 Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
6 City, state, and ZIP code	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; text-align: center;">-</td> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; text-align: center;">-</td> <td style="width: 40%; border: 1px solid black; height: 20px;"></td> </tr> </table>		-		-	
	-		-		
or					
Employer identification number					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black; height: 20px;"></td> <td style="width: 5%; text-align: center;">-</td> <td style="width: 70%; border: 1px solid black; height: 20px;"></td> </tr> </table>		-			
	-				

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.
Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

**WILSON COUNTY INVITATION FOR BIDS
BULK GASOLINE AND DIESEL**

1295 Form must be completed online, see page 4-5 of this bid packet for filing instructions.

CERTIFICATE OF INTERESTED PARTIES		FORM 1295	
Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.		OFFICE USE ONLY	
1 Name of business entity filing form, and the city, state and country of the business entity's place of business.			
2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.			
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.			
4	Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)
			<input type="checkbox"/> Controlling <input type="checkbox"/> Intermediary
5 Check only if there is NO interested Party. <input type="checkbox"/>			
6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.			
_____ Signature of authorized agent of contracting business entity			
AFFIX NOTARY STAMP / SEAL ABOVE			
Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20____, to certify which, witness my hand and seal of office.			
_____ Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath			
ADD ADDITIONAL PAGES AS NECESSARY			

**WILSON COUNTY INVITATION FOR BIDS
BULK GASOLINE AND DIESEL**

WILSON COUNTY

IMPORTANT

BIDDER'S / PROPOSER'S CHECKLIST

Check off each of the following as the necessary action is completed.

- The prices have been checked.
- The VENDOR IDENTIFICATION has been completed and included in your bid package. (Page 1)
- The BID SUBMISSION FORM has been completed, signed, dated and included in your bid package. (Page 11).
- The CONTRACT with the County Commissioners has been completed, signed, dated and included in your bid package. (Page 12)
- The AFFIDAVIT signed and notarized and included in your bid package. (Page 13)
- The CONFLICT OF INTEREST QUESTIONNAIRE has been completed, signed, dated and included in your bid package. (Page 14-15)
- The **W-9** has been completed and included in your bid package. (Page 16)
- The **Form 1295 Certificate of Interested Parties** has been completed and included in your bid Package. (Page 17)
- The mailing envelope has been addressed to:

County Auditor
Wilson County
1420 3rd Street, Suite 109
Floresville, Texas 78114
- The mailing envelope contains the original and one (1) copy.
- The mailing envelope has been sealed and marked:
 - A. Bid number
 - B. Bid name
 - C. Opening date

**WILSON COUNTY AUDITOR'S OFFICE
WISHES TO THANK ALL VENDORS FOR THEIR PARTICIPATION.**