

**EL PASO WATER
PURCHASING DEPARTMENT
P.O. BOX 511
EL PASO, TEXAS 79961**

EPW TRANSPORTATION OF GASOLINE AND DIESEL FUEL

BID NUMBER 90-17

ADDENDUM NUMBER 1

October 5, 2017

Attention of all bidders is directed to the following addendum to this Bid Proposal:

A. Response(s) to Bidder's question(s):

- **Question:** Bobtail rates may be challenging for a whole year. Please confirm that prices must be firm at least the first 12 months.
Answer: Yes
- **Question:** Who is your current vendor?
Answer: Western Refining Wholesale, LLC.
- **Question:** Please provide a current gas and (or) diesel invoice
Answer: This request needs to go through an Open Records Request (ORR). Information can be found on our website at www.epwu.org under the Public Information tab – then open records request.
- **Question:** Please provide tabulations from your most current fuel bid
Answer: This request needs to go through an ORR on our website at www.epwu.org.
- **Question:** Please provide a current gas and (or) diesel Bill of Lading
Answer: This request needs to go through an ORR on our website at www.epwu.org.
- **Question:** Are bidders required to bid all products/locations?
Answer: Yes
- **Question:** Please provide site delivery information (i.e. physical address, delivery hours/days of week)
Answer: The main location is 9751 Pan American Dr. Delivery is from 7:30 am- 4 pm Monday-Friday. The EPW reserves the right to request delivery to any other EPW location.
- **Question:** Please provide tank size for each location
Answer: The main location 9751 Pan American has two 12000 gallon tanks. One for unleaded and one for diesel.

- **Question:** Please provide tank type for each location (i.e. above or below ground storage)
Answer: Both
- **Question:** What is the anticipated award date?
Answer: Anticipated date November 8, 2017
- **Question:** Is there a local preference for this bid?
Answer: No
- **Question:** Is there a DBE requirement for this bid?
Answer: No
- **Question:** Please provide estimated annual usage for each location
Answer: The main location at 9751 Pan American Diesel 120,000 gallons Unleaded 35,000 gallons.
- **Question:** Will Federal Environmental Recovery Fee, Federal LUST, and miscellaneous county taxes/fees be included in price differential or shown as a separate line item on invoice?
Answer: A separate line item on the invoice.
- **Question:** Are taxes to be included in differential pricing?
Answer: No
- **Question:** I am wondering if you are able to tell us who your current supplier/incumbent is?
Answer: Western Refining Wholesale, LLC.
- **Question:** Have you ever had cause to cancel a fuel contract for convenience?
Answer: No.
- **Question:** What is the anticipated start date for the one (1) year contract term?
Answer: December 2017
- **Question:** When is the board meeting to make the award?
Answer: November 8, 2017
- **Question:** Will you accept up to 5% bio diesel in your diesel fuel?
Answer: No
- **Question:** What information will you be reading out loud at the bid opening?
Answer: The bidding company name and pricing.
- **Question:** If we attend the bid opening, will we be able to review other submitted bids?
Answer: No
- **Question:** If we do not attend the bid opening, how and when will we be notified of the low bidder and can we receive a copy of the bid tabulations?
Answer: Bid tabs will be posted on our website @ www.epwu.org

- **Question:** Can we please have a list of bidders invited to submit a proposal?
Answer: This request needs to go through an ORR on our website at www.epwu.org.
- **Question:** An open records request dated September 29, 2017 was submitted previously, when will we be receiving the information?
Answer: All ORR were sent out on October 4, 2107.
- **Question:** Regarding the indemnification language listed on page 10, Item 4 and item 16 under the instructions to bidders... below you will find our legal department's standard indemnification language we often use in our contracts. Would this language be acceptable or negotiable for the indemnification clause?

Petroleum Traders Corp. agrees, to the extent of its negligence or willful misconduct, to defend, indemnify and hold Purchaser harmless as to and from all claims, demands, suits, causes of action, costs and expenses (but specifically excluding consequential, special incidental and punitive damages) asserted against Purchaser arising in whole or in part out of the negligence, reckless or willful misconduct of Petroleum Traders Corp. or its agents. If it shall appear that any claim shall have arisen out of the joint, concurrent or consecutive fault of both Purchaser and Petroleum Traders Corp., then until otherwise established by agreement or by judicial decision, the allocation of fault for purposes of these indemnity provisions shall be 50/50. These indemnity provisions apply only to claims, demands and causes of action sounding in tort, and do not apply to claims, demands and causes of action governed by the Uniform Commercial Code. As to any claim for which Petroleum Traders Corp. accepts the responsibility for indemnity, Petroleum Traders Corp. shall be solely responsible for the conduct of that defense, including all litigation decisions. As to any claim for which Purchaser accepts the responsibility for indemnity, Purchaser shall be solely responsible for the conduct of that defense, including all litigation decisions.

Answer: No
- **Question:** Please provide copies of the prior bid tabulations, bill of ladings and invoices for our records.
Answer: This request needs to go through an ORR on our website at www.epwu.org.
- **Question:** Please advise on the address or addresses for delivery of fuel.
Answer: There are several locations within the city limits. The main one is 9751 Pan American Dr.
- **Question:** Please advise the tank sizes, if they are above or below ground and if there are more than one tank at a location, are those tanks next to each other or separate where the driver would need to load up and reload from one tank to another?
Answer: We have both types. In the main location they are underground and next to each other. The main location has two 12000 gallon tanks
- **Question:** Is this an "All or Nothing" bid or can vendors "No Bid" items?
Answer: Total bid. No "No Bid" items will be accepted.

Bidder shall acknowledge receipt of this addendum and submit this acknowledgment with their bid submittal. Failure to acknowledge addendum(s), may result in rejection of bid.



Christina Rivas
Procurement Analyst

BIDDER'S ACKNOWLEDGEMENT OF RECEIPT


L. Chacon