

# **Energy Solicitation - Fuels**

Prepared for, and in coordination with:

Bow School District, City of Concord and St. Paul's School

Contract Documents  
Proposal Documents  
Specifications

**Proposal Due Date/Time: July 14, 2010, Not Later Than 11:00 am (et)**

**AXSESS** GROUP

## **Introduction**

The City of Concord, St. Paul's School and Bow School District (each referred to as "Party" and collectively as the "Parties"), seek proposals from interested firms registered to provide fuel supply services in the State of New Hampshire. On behalf of the Parties, the City of Concord along with Axsess Energy Group ("Axsess"), is issuing this Energy Solicitation ("Solicitation") seeking proposals for firm fuel supply for the specific requirements shown in Attachment 1.

The fuel types included in this solicitation are #2 fuel oil, gasoline (87 Octane) and ultra low sulfur diesel. We understand that some firms may desire to bid on some fuels and not on others. This solicitation requests proposals for supply to serve **one or more** of the fuels listed. We request that you provide a proposal which addresses the terms and structures requested and encourage additional proposal structures which you believe may be beneficial and should be considered. At minimum, proposals shall include for each fuel type for which you are submitting a proposal:

- a firm-fixed price for all fuels for each individual Party
- an indexed price for only gasoline and ultra low sulfur diesel for St. Paul's School
- and, if lower than the lowest comparable individual price, an aggregated price for the Parties for 11 and 23 month periods beginning August 2010.

Alternative supply periods may be proposed if suppliers believe they provide value. Suppliers must clearly define the proposed supply period and must provide complete pricing information for the aggregate load, as well as for the individual accounts for each Party. Suppliers may also offer alternative pricing options that may provide value to the Parties.

This solicitation and associated attachments contain the following:

- Customer Information listed by each participating Party
- Proposal Requirements
- Proposal Instructions, Evaluation Criteria, Schedule
- General Terms and Conditions
- Supplier Proposal Forms

We look forward to receiving your proposal and potentially entering into a successful energy supply agreement with your firm.

**Client Information**

<b>Name</b>	<b>City of Concord</b>
<b>Address</b>	41 Green Street, Concord, NH 03301
<b>D-U-N-S #</b>	07-397-6680
<b>T.I.N.</b>	02-6000177
<b>Fuels Solicited</b>	<ul style="list-style-type: none"> <li>• #2 Fuel Oil</li> </ul>
<b>Tax Exempt</b>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>
<b>Facilities</b>	<ul style="list-style-type: none"> <li>• See Attachment 1</li> </ul>

<b>Name</b>	<b>St. Paul's School</b>
<b>Address</b>	325 Pleasant Street, Concord, NH
<b>T.I.N.</b>	02-0222227
<b>Fuels Solicited</b>	<ul style="list-style-type: none"> <li>• #2 Fuel Oil</li> <li>• Gasoline</li> <li>• Ultra Low Sulfur Diesel</li> </ul>
<b>Tax Exempt</b>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>
<b>Facilities</b>	<ul style="list-style-type: none"> <li>• See Attachment 1</li> </ul>

<b>Name</b>	<b>Bow School District</b>
<b>Address</b>	32 White Rock Hill Road Bow, NH 03304
<b>T.I.N.</b>	02-6000082
<b>Fuels Solicited</b>	<ul style="list-style-type: none"> <li>• #2 Fuel Oil</li> </ul>
<b>Tax Exempt</b>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>
<b>Facilities</b>	<ul style="list-style-type: none"> <li>• See Attachment 1</li> </ul>

## **Proposal Requirements**

### **Character of Service**

- ❖ Parties require firm delivery of 100% of the fuel requirements described herein
- ❖ Delivery point – facilities listed above and provided in Attachment 1
- ❖ Title and ownership of fuel supply shall pass to the Parties upon safe transfer of product to each facility and signed acceptance by authorized personnel

### **Commodity Types**

- ❖ Suppliers may submit proposals for all or some of the commodities sought in this solicitation.
  - City of Concord: #2 fuel oil (tank wagon and transport deliveries)
  - St. Paul's School: #2 fuel oil, 87 gasoline an ultra low sulfur diesel (tank wagon deliveries)
  - Bow School District: #2 fuel oil (tank wagon deliveries)

### **Term/ Start Date**

- ❖ Parties request pricing for following periods
  - City of Concord:
    - #2 - 11 months: August 1, 2010 to June 30, 2011
    - #2 - 23 months: August 1, 2010 to June 30, 2012
  - St. Paul's School:
    - #2, Diesel, Gasoline - 11 months: August 1, 2010 to June 30, 2011
    - #2, Diesel, Gasoline - 23 months: August 1, 2010 to June 30, 2012
  - Bow School District:
    - #2 - 11 months: August 1, 2010 to June 30, 2011
    - #2 - 23 months: August 1, 2010 to June 30, 2012
  
- ❖ Suppliers may propose other periods they believe may provide value to the Parties.

### **Pricing** - Parties request the following pricing:

- ❖ Fixed price proposals.
- ❖ Indexed price proposals – a price structure that is tied to a relevant, industry recognized index (e.g., Journal of Commerce, Platts, etc.)
  - St. Paul's School prefers, under an Index price structure for gasoline and/or ultra low sulfur diesel, the ability to convert pricing for forward month periods to fixed prices; proposals should confirm this option and provide detail as to the process for converting indexed to fixed pricing.
- ❖ All proposals should include any and all costs to deliver the fuel to the Parties' facility(ies); e.g., taxes fees, environmental fees.
- ❖ Suppliers are requested to note whether altering deliveries or delivery schedule will lower cost.

### **Usage**

- ❖ Contract volumes: Parties' requirements/usage at each facility is shown in Attachment 1; the monthly data provided in Attachment 1 is indicative and will vary depending upon weather.
- ❖ Fixed price supply agreements – in the event a Party enters into a fixed price agreement the following price and volume characteristics are required
  - Contract period usage variation (swing)
    - Underuse - Any contract volumes not taken during the contract period shall be carried forward at the contract price for a period of no greater than 90 days. That is, the Customer may take all remaining volumes within 90 days following the end of the contract term at no penalty. For

volumes not taken after the 90 day period, and in the event market prices are lower than contract prices, Customer will be required to pay the supplier the difference.

- Overuse – Customer may, during the contract period, take volumes above the contract total. Any such additional volumes taken up to 10% greater than the contract volume will be priced at the fixed contract price. Any such volumes taken in excess of 110% of the contract volume will be priced at a pre-determined market index plus a fixed adder (to be identified in the contract).

**Other**

- ❖ Invoices-all invoices must provide all unit price components and volumes associated with the invoice charges (i.e., all index values and relevant information)
- ❖ For each fuel type proposal, responses must include pricing for the aggregated load and for each individual Party's load.
- ❖ City Human Services Clients – For specified accounts, the City of Concord has the following requirements. This requirement pertains only to the City of Concord Human Services clients:
  - A 125 gallon minimum delivery requirement
  - A delivery response time as follows:
    - Requests for delivery made prior to 12 noon will be guaranteed a delivery the same day
    - Requests for delivery made after 12 noon will be guaranteed a delivery by 2:00 PM the next business day.
- ❖ Delivery Default
  - Auto-fill: The successful bidder shall at all times be responsible, where applicable, for maintaining sufficient fuel supply in all tanks that are on Automatic-Fill, and will be held liable for damages or loss resulting from insufficient fuel supply. Specifically, on any occasion that a tank runs out of fuel the supplier will incur a penalty equal to 10% of the contract price times the maximum tank volume of the tank that ran out of fuel. Once the Customer calls the supplier and requests a fill, the supplier will be required to fill the tank within two (2) hours. Failure to fill the tank within two (2) hours shall be considered a default and if the Party(s) is forced to secure supply from another third-party supplier, the supplier in default shall be responsible to reimburse the Party(s) for the difference in price between the delivered price from the new third-party and the contract price from the supplier plus an administrative fee of 20% of the total delivered cost.
  - Call for fill: The successful bidder shall at all times be responsible, where applicable, to deliver supply in response to a "Call for Fill" within 24 hours from the request for Fill, provided such request for Fill is made by the Party(s) between the hours of 8:00 AM and 3:00 PM. Failure to deliver such requested supply shall be considered a default and if the Party(s) is forced to secure supply from another third-party supplier, the supplier in default shall be responsible to reimburse the Party(s) for the difference in price between the delivered price and the contract price plus an administrative fee of 20% of the total delivered cost.
- ❖ It shall be the responsibility of each vendor to make itself aware of the conditions of delivering to each facility. The submission of a bid shall be evidence that the bidder has satisfied itself of any conditions or requirements for delivery and that it can meet all delivery requirements.

**Proposal Instructions, Evaluation Criteria, Schedule**

- ❖ Supplier qualifications and capabilities will be a factor in the selection process.
- ❖ Suppliers may submit any supporting information that will be beneficial in evaluating supplier and supplier proposals.
- ❖ Evaluations will take into consideration supplier responsiveness, price structure, supplier financial viability, Supplier experience and market presence. The evaluation criteria are provided with this RFP.
- ❖ Suppliers are **required** to provide a copy of their proposed supply contract with their supply proposal.
- ❖ Parties reserve the right to reject all proposals and to terminate this Solicitation.
- ❖ This Solicitation does not obligate Parties to negotiate a contract with any supplier.
- ❖ Suppliers **must** provide an electronic copy of the full proposal.

<b>Proposals Due</b>	July 14, 2010; 11:00 am (et)
<b>Inquiries</b>	All inquiries regarding this solicitation must be directed by <u>email ONLY</u> to:  Copy to: Mr. Tony Aguiar - Axsess Group e-mail: <a href="mailto:aguiart@axsessgroup.com">aguiart@axsessgroup.com</a>
<b>Proposals</b>	All proposals must be submitted by e-mail only to:  Axsess Energy Desk e-mail: <a href="mailto:proposals@axsessgroup.com">proposals@axsessgroup.com</a>  and  Beth Greenblatt e-mail: <a href="mailto:bgreenblatt@beacon-llc.com">bgreenblatt@beacon-llc.com</a>

**Supplier Proposal Form – City of Concord**

**Fuel Type – #2 Fuel Oil – Tank Wagon Volumes Only:**

*(Please fill in; make additional copies as necessary)*

Term	Pricing (\$/gal)	Ts&Cs / Comments
<b>11 Month</b>  <b>August 1, 2010 to June 30, 2011</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>23 Month</b>  <b>August 1, 2010 to June 30, 2012</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>Other</b>		
Attach additional sheets if more space is required		
<b>Other comments, notes, etc.</b>		

**Supplier Information and Authorized Signature**

<b>Company Name</b> _____	<b><u>Authorized Supplier Representative</u></b>
<b>Address</b> _____ _____	<b><u>Title</u></b>
<b>Phone</b> _____	<b><u>Signature</u></b>
<b>Fax</b> _____	<b><u>Date</u></b>
<b>E-mail</b> _____	

**Supplier Proposal Form – City of Concord**  
**Fuel Type – #2 Fuel Oil – Transport Volumes Only:**

*(Please fill in; make additional copies as necessary)*

Term	Pricing (\$/gal)	Ts&Cs / Comments
<b>11 Month</b>  <b>August 1, 2010 to June 30, 2011</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>23 Month</b>  <b>August 1, 2010 to June 30, 2012</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>Other</b>		
Attach additional sheets if more space is required		
<b>Other comments, notes, etc.</b>		

**Supplier Information and Authorized Signature**

<b>Company Name</b> _____  <b>Address</b> _____ _____ _____  <b>Phone</b> _____  <b>Fax</b> _____  <b>E-mail</b> _____	<b><u>Authorized Supplier Representative</u></b>  <b><u>Title</u></b>  <b><u>Signature</u></b>  <b><u>Date</u></b>
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**Supplier Proposal Form – St. Paul's School**

**Fuel Type – #2 Fuel Oil:**

*(Please fill in; make additional copies as necessary)*

Term	Pricing (\$/gal)	Ts&Cs / Comments
<b>11 Month</b>  <b>August 1, 2010 to June 30, 2011</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>23 Month</b>  <b>August 1, 2010 to June 30, 2012</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>Other</b>		
Attach additional sheets if more space is required		
<b>Other comments, notes, etc.</b>		

**Supplier Information and Authorized Signature**

<b>Company Name</b> _____  <b>Address</b> _____ _____ _____  <b>Phone</b> _____  <b>Fax</b> _____  <b>E-mail</b> _____	<b><u>Authorized Supplier Representative</u></b>  <b><u>Title</u></b>  <b><u>Signature</u></b>  <b><u>Date</u></b>
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**Supplier Proposal Form – St. Paul's School**

**Fuel Type – ULS Diesel:**

(Please fill in; make additional copies as necessary)

Term	Pricing (\$/gal)	Ts&Cs / Comments
<i>(please note if there's a surcharge or discount for dyed product)</i>		
<b>11 Month</b>  <b>August 1, 2010 to June 30, 2011</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>23 Month</b>  <b>August 1, 2010 to June 30, 2012</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>Dyed Products</b>	Surcharge/Discount value for Dyed product?	
<b>Other</b>		
Attach additional sheets if more space is required		
<b>Other comments, notes, etc.</b>		

**Supplier Information and Authorized Signature**

<b>Company Name</b> _____  <b>Address</b> _____ _____ _____  <b>Phone</b> _____  <b>Fax</b> _____  <b>E-mail</b> _____	<p style="text-align: center;"><b><u>Authorized Supplier Representative</u></b></p> <hr/> <p style="text-align: center;"><b><u>Title</u></b></p> <hr/> <p style="text-align: center;"><b><u>Signature</u></b></p> <hr/> <p style="text-align: center;"><b><u>Date</u></b></p>
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**Supplier Proposal Form – St. Paul's School**

**Fuel Type – 87 Octane Gasoline:**

*(Please fill in; make additional copies as necessary)*

Term	Pricing (\$/gal)	Ts&Cs / Comments
<b>11 Month</b>  <b>August 1, 2010 to June 30, 2011</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>23 Month</b>  <b>August 1, 2010 to June 30, 2012</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>Other</b>		
Attach additional sheets if more space is required		
<b>Other comments, notes, etc.</b>		

**Supplier Information and Authorized Signature**

Company Name _____  Address _____ _____ _____  Phone _____  Fax _____  E-mail _____	<p style="text-align: center;"><b><u>Authorized Supplier Representative</u></b></p> <hr/> <p style="text-align: center;"><b><u>Title</u></b></p> <hr/> <p style="text-align: center;"><b><u>Signature</u></b></p> <hr/> <p style="text-align: center;"><b><u>Date</u></b></p>
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**Supplier Proposal Form – Bow School District**

**Fuel Type – #2Fuel Oil:**

*(Please fill in; make additional copies as necessary)*

Term	Pricing (\$/gal)	Ts&Cs / Comments
<b>11 Month</b>  <b>August 1, 2010 to June 30, 2011</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>23 Month</b>  <b>August 1, 2010 to June 30, 2012</b>	Fixed Price: _____  Indexed Price: _____  Other Structure: _____	
<b>Other</b>		
Attach additional sheets if more space is required		
<b>Other comments, notes, etc.</b>		

**Supplier Information and Authorized Signature**

Company Name _____  Address _____ _____ _____  Phone _____  Fax _____  E-mail _____	<p style="text-align: center;"><b><u>Authorized Supplier Representative</u></b></p> <hr/> <p style="text-align: center;"><b><u>Title</u></b></p> <hr/> <p style="text-align: center;"><b><u>Signature</u></b></p> <hr/> <p style="text-align: center;"><b><u>Date</u></b></p>
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**Supplier Proposal Form – Aggregate Parties Load**

**Fuel Type – \_\_\_\_\_ :**

*(Please fill in; make additional copies as necessary)*

Term	Pricing (\$/gal)	Ts&Cs / Comments	
<b>11 Month</b>  <b>August 1, 2010 to June 30, 2011</b>	Fixed Price: _____		
	Indexed Price: _____		
	Other Structure: _____		
<b>23 Month</b>  <b>August 1, 2010 to June 30, 2012</b>	Fixed Price: _____		
	Indexed Price: _____		
	Other Structure: _____		
<b>Other</b>			
Attach additional sheets if more space is required			
<b>Other comments, notes, etc.</b>			

**Supplier Information and Authorized Signature**

<b>Company Name</b> _____	<b><u>Authorized Supplier Representative</u></b>
<b>Address</b> _____ _____ _____	
<b>Phone</b> _____	
<b>Fax</b> _____	
<b>E-mail</b> _____	<b><u>Title</u></b>
	<b><u>Signature</u></b>
	<b><u>Date</u></b>