

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130 Charleston, WV 25305-0130

Request for REQNUMBER Quotation

FUELTT11

ADDRESS.CORRESPONDENCE TO ATTENTION OF JO ANN ADKINS 304-558-8802

ALL STATE AGENCIES AND POLITICAL SUBDIVISIONS VARIOUS LOCALES AS INDICATED BY ORDER

RFQ COPY
TYPE NAME/ADDRESS HERE
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BRUCETON PETROLEUM CO. TAC.
BFS PETROLEUM PRODUCTS, INC.
1768 MILEGROUND RD
MORGANTOWN, WY 26505

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GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.
- 3. All quotations are governed by the West Virginia Code and the Legislative Rules of the Purchasing Division.
- 4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- 5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
- 6. Payment may only be made after the delivery and acceptance of goods or services.
- 7. Interest may be paid for late payment in accordance with the West Virginia Code.
- 8. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
- 12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 13. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
- 14. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 15. WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT: If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

INSTRUCTIONS TO BIDDERS

- 1. Use the quotation forms provided by the Purchasing Division.
- **2. SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 3. Complete all sections of the quotation form.
- 4. Unit prices shall prevail in case of discrepancy.
- 5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 6. BID SUBMISSION: All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130



State of West Virginia Department of Administration Quotation **Purchasing Division** 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

Request for

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ADDRESS CORRESPONDENCE TO ATTENTION OF JO ANN ADKINS 304-558-8802

RFQ COPY TYPE NAME/ADDRESS HERE 304-891-6986 X709043738 BRUCETON PETROLEUM CO. TWC/ BES PETROLEUM PRODUCTS, TWC. 1768 MILEGROUND RD MORGANTOWN, WV 26 505

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State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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Request for Quotation

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ALL STATE AGENCIES
AND POLITICAL SUBDIVISIONS
VARIOUS LOCALES AS INDICATED
BY ORDER

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State of West Virginia Department of Administration Quotation **Purchasing Division** 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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RFQ COPY TYPE NAME/ADDRESS HERE 304-091-6980 * 709043738 BENCETON PETROLEUM CO., DNC/ BKS PETROLEUM PRODUCTS, DIC MUS MILEGROUND RD MORGANITOWN, WU 26505

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State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

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JO ANN ADKINS
304-558-8802

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ALL STATE AGENCIES
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FUELTT11 - Truck Transport Delivery of: Gasoline, E-10, Diesel, Winterized Diesel, & Heating Fuels Specifications

This is a request for quotation to supply unleaded gasoline, E-10, unleaded diesel, winterized diesel and heating fuels to all West Virginia State Agencies and Political Subdivisions by Truck Transport delivery.

The State has been divided geographically into ten regions (which are the same as the ten DOH Districts) as follows:

Region I: Mason, Putnam, Kanawha, Clay and Boone counties.

Region II: Cabell, Wayne, Lincoln, Logan and Mingo counties.

Region III: Pleasants, Wood, Ritchie, Wirt, Calhoun, Roane, and Jackson counties.

Region IV: Doddridge, Harrison, Marion, Taylor, Monongalia, and Preston counties.

Region V: Grant, Hardy, Mineral, Hampshire, Morgan, Berkeley and Jefferson counties.

Region VI: Tyler, Wetzel, Marshall, Ohio, Brooke and Hancock counties. Region VII: Gilmer, Barbour, Lewis, Braxton, Upshur and Webster counties.

Region VIII: Tucker, Randolph, Pendleton and Pocahontas counties.

Region IX: Nicholas, Fayette, Greenbrier, Summers and Monroe counties.

Region X: Raleigh, Wyoming, McDowell and Mercer counties.

VENDOR ELIGIBILITY: Vendors must be an established refiner, distributor or dealer for a minimum of three (3) years and must provide to the Purchasing Division the locations of all facilities that will be delivering to any of the ten regions within West Virginia and a list of equipment available to perform all the requirements of the contract. It is preferred the required information be submitted with the bid. Failure to provide the required information at the request of the Purchasing Division shall result in disqualification of the bid.

UNLEADED GASOLINE shall comply with the most recent ASTM D 4814-07a or the most current edition of the Standard Specifications for Automotive Gasoline. The minimum anti-knock octane for Unleaded Gasoline is 87. E-10, Ethanol Blend (87 Octane minimum) shall be an acceptable substitute fuel for unleaded gasoline. Whenever E-10 is delivered, it must be noted as E-10 Blended Fuel on the vendor's invoice.

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FUELTT11 – Truck Transport Delivery of: Gasoline, E-10, Diesel, Winterized Diesel, & Heating Fuels Specifications

DIESEL Fuel Oil shall comply with ASTM D 975-09 or the latest edition except the Minimum Cetane Rating shall be 40. The cloud points are as follows:

TYPE II +10F TYPE II ULTRA LOW SULFUR

Diesel Fuel Oil shall be an ultra low sulfur all-purpose diesel fuel oil intended for the use in all automotive type diesel engines under all normal conditions of service. Fuel shall be free from water, grit, acid, and fibrous or other foreign matter likely to clog or injure pumps, nozzles, or valves.

SPECIAL REQUIREMENT OF THE DIVISION OF HIGHWAYS:

During the period of November 1 to February 28, diesel motor fuels shall be blended with a permissible diesel additive to reduce operability parameters (cloud point, cold filter plug point) and to increase winter operability, maintaining state/federal mandated regulatory specifications for on-road diesel fuel.

NOTE: Any alternative fuel that becomes available may be added to contract at the discretion of West Virginia Division of Highways.

HEATING OIL: These specifications cover the grades #1, #2, #4, and #5 fuel oils for various types of fuel burning equipment. Must meet specifications of ASTM Heating Oil D396-09 or the latest edition.

The fuel oils herein specified shall be hydrogen oils free from grit, acid and fibrous or other foreign matter likely to clog or injure the burner or valves. If required, the oil shall be strained by being drawn through filter or wire of 16 mesh to the inch. (U.S. Standard sieve 16, ASTM 1, 190 microns). The clearance area through the strainers shall be at least twice the area of the suction pipe and strainers shall be in duplicate.

The various grades of fuel oil shall conform to the detailed requirements for Fuel Oils "National Bureau of Standards" CS-12-48, dated September 25, 1948, or the latest edition: It is the intent of these specifications that failure to meet any requirements of a given grade does not automatically place an oil in the next grade unless in fact it meets all requirements of the lower grade.

FUELTT11 – Truck Transport Delivery of: Gasoline, E-10, Diesel, Winterized Diesel, & Heating Fuels Specifications

The technical requirements of the National Bureau of Standards Commercial Standard CS-12-48 are identical in substance with tentative specifications for fuel oil, American Society of Testing Materials D396-48T latest edition.

All fuel oil not meeting specifications is not acceptable to any of the localities and must be removed from tank at vendor's expense. No additional product may be added to change the grade of the product.

SAMPLING, INSPECTION, AND TESTS: Sampling, inspection and testing shall be in accordance with Federal Specifications to obtain a fuel which meets the detailed requirements as specified and determined in the Department of Highway Laboratory. No allowances shall be made for any reproducibility factors in the prescribed test methods. The supplier will allow samples to be taken prior to discharging of product into localities tanks. Samples will be taken without prior notices.

PRICING: The State of West Virginia will accept bids only by Region locations. Vendors must bid a firm fixed mark-up price per gallon on fuel delivery with product price tied to the OIL PRICE INFORMATION SERVICE (OPIS) publication. All prices quoted shall be the delivered price to any location within the ten regions.

Pricing will be based on the Weekly OPIS on the DAY OF ORDER.
The OPIS Weekly Average is posted every Friday morning.

FIRM FIXED MARK-UP PER GALLON: Vendors shall bid only a firm fixed mark-up (percentages not acceptable) for business profit and expenses in supplying the product to the State Agencies and Political Subdivisions. Product cost shall be the average rack price of the products as published (for the preceding week) for the vendor supply terminal location in the OIL PRICE INFORMATION SERVICE as published by United Communications Group 11300 Rockville Pike, Suite 1100, Rockville, MD. 20852. Telephone number (800)929-4824.

FUELTT11 - Truck Transport Delivery of: Gasoline, E-10, Diesel, Winterized Diesel, & Heating Fuels Specifications

Bids are requested for ALL products – Truck Transport (T/T) delivery. Vendors must indicate the minimum delivery quantity for two (2) locations within 20 miles proximity delivered via Truck Transport (T/T). Additionally, vendors shall bid a fixed up-charge fee (see Vendor Quote Sheet) for Truck Transport delivery to a maximum of four (4) locations within 30 miles proximity.

Irrespective of method of transport, the minimum delivery quantity shall be 800 gallons. Vendors should remind ordering agencies that orders less than 800 gallons can be delivered as 'off contract' purchases.

The bid prices for one Region shall not be conditioned on the award of any other Region.

PAYMENT: Shall be made based on the terminal fuel is pulled from. If vendors bid multiple terminal sources, the invoice will be based on the lowest price, or vendor shall provide proof of terminal product is pulled from on the invoice.

TAXES: The State of West Virginia agencies are exempt from the Federal Excise Tax, and the State Consumers Sales Tax. State of West Virginia agencies are not exempt from State Excise Tax. West Virginia State agencies currently pay a variable rate component of the motor fuel excise tax on motor fuel sold or used of 11.7/cents per gallon. State agencies also currently pay 20.50/cents per gallon for the flat rate component of the West Virginia Excise Tax.

Any Superfund Tax must be included in the bidder's mark-up price. The State will not accept bids from bidders who cannot meet the above conditions regarding taxes.

AGENCY ORDERING PROCEDURE: The Division of Highways, district locations – one (1) point of contact for orders, per district, shall place their order with vendor via e-mail or by telephone if computers are down.

All West Virginia State Agencies will place their own orders with the approved vendor.

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FUELTT11 - Truck Transport Delivery of: Gasoline, E-10, Diesel, Winterized Diesel, & Heating Fuels Specifications

West Virginia State Agencies utilizing this contract must purchase an OPIS license allowing the agency access to OPIS weekly pricing. Please contact OPIS at 888-301-2654.

Orders shall be placed Monday through Friday and utilize the published preceding week OPIS average rack price. Pricing will be based on the Weekly OPIS on the DAY OF ORDER.

Refer to the attached map of West Virginia Division of Highway's District areas. The listing for Division of Highways District Office locations is as follows:

The listing for Division of Highways locations is as follows:

WVDOH/DISTRICT 1 1334 Smith St. Charleston, WV 25301

WVDOH/DISTRICT 2 801 Madison Ave. Huntington, WV 25712

WVDOH/DISTRICT 3 624 Depot St. Parkersburg, WV 26102

WVDOH/DISTRICT 4 PO Box 4220 Clarksburg, WV 26301

WVDOH/DISTRICT 5 PO Box 99 Burlington, WV 26710

WVDOH/DISTRICT 6 1 DOT Drive Moundsville, WV 26041

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FUELTT11 – Truck Transport Delivery of: Gasoline, E-10, Diesel, Winterized Diesel, & Heating Fuels Specifications

WVDOH/DISTRICT 7 PO Box 1728 Weston, WV 26452

WVDOH/DISTRICT 8 PO Box 1516 Elkins, WV 26241

WVDOH/DISTRICT 9 HC 82, Box 3-A Lewisburg, WV 24901

WVDOH/DISTRICT 10 270 Hardwood Lane Princeton, WV 24740

VENDOR ACKNOWLEDGEMENT PROCEDURE: The vendor must e-mail agency upon receipt of order showing order received, and giving tentative delivery information. Receipt of the vendor's acknowledgement showing the vendor's scheduled delivery date/time is important, as this allows the agency to insure staff will be available for the scheduled delivery.

Since the product pricing is subject to weekly changes, the state agency is to verify pricing information provided by OPIS. The actual price is computed as follows:

NORMAL: Average rack price from OPIS report + State Excise Tax for Motor Fuel (if applicable).

- + Vendors mark-up as quoted in contract
- = price per gallon delivered.

WINTERIZED FUEL: (November thru February)

- Blended with Additive: Average rack price for #2 Diesel (gallons delivered) from OPIS report:
 - + State Excise Tax
 - +Vendors mark-up per gallon

X 2

FUELTT11 – Truck Transport Delivery of: Gasoline, E-10, Diesel, Winterized Diesel, & Heating Fuels Specifications

- Blended with Kerosene (or #1 Diesel Fuel): Average rack price for #2 diesel (gallons delivered) from OPIS report:
 - + State Excise Tax
 - + Vendor's mark-up per gallon
 - = Price per gallon #2 Diesel delivered
 - + Average rack price for Kerosene (or #1 Diesel), gallons delivered, from OPIS report
 - + State Excise Tax
 - + Vendor's mark-up per gallon
 - = Price per gallon Kerosene a (or #1 Diesel) delivered

DELIVERIES: The State has sole discretion to determine Method of Delivery, by tanker truck or tank wagon. Such Method of Delivery shall be specified at the time of order based on the order volume. Normal use requirements will be ordered three (3) working days in advance of the required delivery date. Vendors SHALL complete fuel deliveries within the three (3) working day period of order placement. The three (3) working day period shall start the next business day after receipt of order. Unless prior arrangements have been made, deliveries shall be made during normal work hours (7:30 am to 3:30 pm), Monday through Friday.

Emergency requirements or situations which cannot be scheduled in advance will necessitate 24 hour delivery. Cost for 24 hour emergency delivery shall be at a fixed up-charge fee. <u>Vendors should enter the fixed up-charge fee on the pricing page and submit with bid.</u>

Deliveries shall include a legible metered delivery ticket which has been processed through a meter certified and sealed by the State of West Virginia, Division of Weights and Measures, and stamped with quantities, location, time (a.m./p.m.) date, driver and product. When bulk deliveries are made the driver shall stick the tank before and after product is delivered and enter the readings onto the delivery ticket.

FUELTT11 - Truck Transport Delivery of: Gasoline, E-10, Diesel, Winterized Diesel, & Heating Fuels Specifications

A copy of the delivery ticket, signed by both the driver and a person from the receiving facility, should be left at the location receiving the fuel. Delivery tickets must include the location where delivery was made, the product(s) delivered, the blended percentages, the number of gallons delivered, and the rack price or prices for blended fuels.

Vendors must have the capability to deliver to above ground storage tanks utilizing a remote fill system on the tank.

A penalty fee of \$250 (reduction of invoice), can be imposed for failure to provide delivery of fuel within the three (3) working day period of order placement, unless such delay is attributable to terminal allocations. Vendors can submit documentation related to allocation issues to avoid the penalty.

NOTE: All fuel deliveries shall be metered at the point of delivery and shall issue a printed ticket, to meet the Division of Labor requirements:

Tanker trucks may make a delivery of a complete compartment and are permitted to use the allocation metered ticket from the loading point for this printed ticket. West Virginia Code 47-1-11 adopts NCWM Hand Book 130 part "Uniform Engine Fuels...Regulation". Section 3 of that Regulation, subparagraph 3.1.1 concerns documentation. A Bill of Lading from the terminal source locations is acceptable and shall contain quantities, location, time (a.m./p.m.) date, driver, and product.

DELAY OR FAILURE TO DELIVER: The vendor shall not be liable in damages for the delay of shipment or failure to deliver caused by fire, flood, Acts of God, Acts of Government, Act of an alien enemy, or by any other circumstances which in the opinion of the state agency is beyond the control of the contractor. The state agency may, in its discretion purchase the product on the market until such time product becomes available by the supplier.

In the event the vendor is unable to drop fuel due to an error by the ordering agency a flat fee of \$250.00 may be charged.

FUELTT11 – Truck Transport Delivery of: Gasoline, E-10, Diesel, Winterized Diesel, & Heating Fuels Specifications

INVOICING: Vendors of DOH fuel deliveries are encouraged to utilize a paperless invoice process, submitting the following information via e-mail to the DOH ordering locations:

- A. Delivery ticket number(s) for fuel delivery, date and time of delivery and DOH location of the delivery.
- B. Fuel types, total quantities, unit prices, applicable taxes, total prices, and the terminal source of supply for all deliveries.
- C. It is the intent of the Division of Highways to utilize the State Purchasing Card for all vendor reimbursement of fuels purchased.

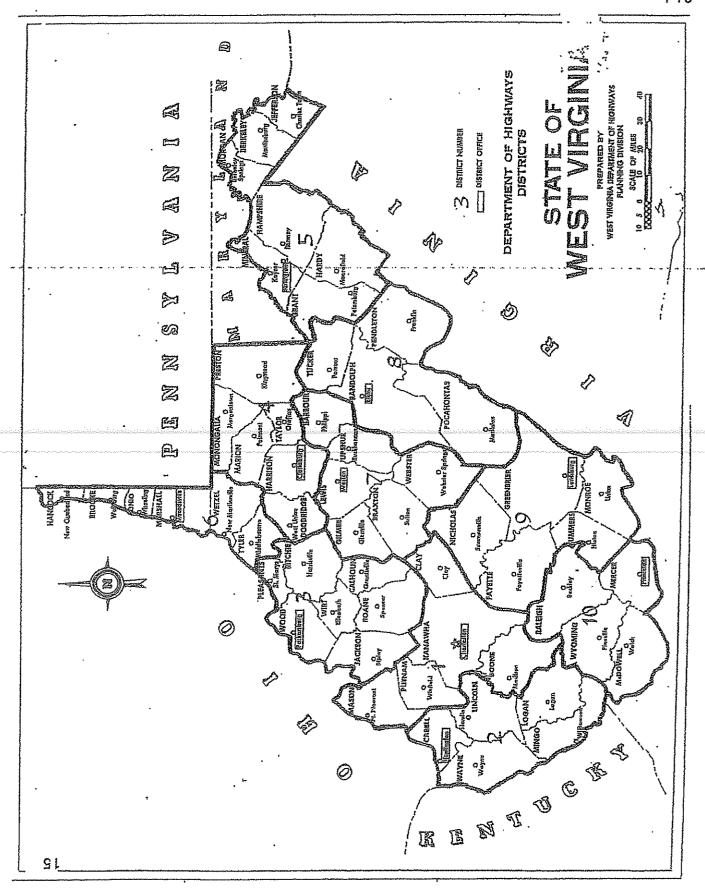
NOTES: Under no circumstances will the West Virginia Division of Highways accept, or pay for, quantities of fuel in excess of the quantity requested via the telephone or electronic order.

Should fuel products become unavailable from a quoted terminal location, (in the event of an Emergency Declaration by the Governor) the wholesale fuel vendor shall have the option to pull fuel products from the next closest terminal location. If that fuel terminal location was not quoted as a potential source of supply, the agency shall reimburse the wholesale vendor the OPIS price for that terminal location as well as the additional transport expenses associated with the deliveries and documented by the vendor.

Government entities other than the WVDOH, utilizing this contract, must have the option of formulating their invoicing procedures with the successful vendors.

REPORTING REQUIREMENTS: Winning bidders <u>shall</u> be required to submit quarterly reports to the Department of Transportation in a format which shall be supplied. This report shall show the quantity and cost of each product and the District/Region (separate reports for DOH and non-DOH) of delivery, and a total of each product for each quarter. This report **SHALL** also be sent to the Purchasing Division, Attention: jo.a.adkins@wv.gov.

AWARD: The award will be a single award per Region/District (1 through 10). Pricing will be from the source fuel was pulled from (terminal location).



State of West Virginia

VENDOR PREFERENCE CERTIFICATE

Certification and application* is hereby made for Preference in accordance with West Virginia Code, §5A-3-37. (Does not apply to construction contracts). West Virginia Code, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

1.	Application is made for 2.5% resident vendor preference for the reason checked: Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,
2.	Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
3.	Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
4i/	Application is made for 5% resident vendor preference for the reason checked: Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
5.	Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
***************************************	Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.
requiren against	understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the nents for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency cted from any unpaid balance on the contract or purchase order.
authorize the requ	nission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and es the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid ired business taxes, provided that such information does not contain the amounts of taxes paid nor any other information by the Tax Commissioner to be confidential.
and acc	penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true surate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate is during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.
	BRUCETON PETROLEUM CO, THE Signed: Marion 7 Pund
Date:	10/19/09 Title: PRESEDENT

"Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

		P	1	7
RFQ	No.			

STATE OF WEST VIRGINIA Purchasing Division

PURCHASING AFFIDAVIT

VENDOR OWING A DEBT TO THE STATE:

West Virginia Code §5A-3-10a provides that: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the **West Virginia Code**. The vendor **must** make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the **West Virginia Code** and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the **West Virginia Code** may take place before their work on the public improvement is begun.

ANTITRUST:

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

LICENSING:

Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

CONFIDENTIALITY:

The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.

Under penalty of law for false swearing (West Virginia Code §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

Vendor's Name: BES PERTROLEUM PRODUCTS, IN-	-		
Authorized Signature: Manney 7 Buco	_ Date: _	10/19/09	
Purchasing Affidavit (Revised 01/01/09)			



State of West Virginia Department of Administration **Purchasing Division** 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

Request for MARONUMBER Quotation

FUELTT11

1

Address:Correspondence:TotalHennion(obs TO ANN ADKINS **\$04-558-8802**

ALL STATE AGENCIES AND POLITICAL SUBDIVISIONS VARIOUS LOCALES AS INDICATED BY ORDER

RFO COPY TYPE NAME/ADDRESS HERE 4709043738 304-291-6980 BRUCETON PETROLEUM GO, INC BFS PETRELEUM PRODUCTS, INC. 1768 MILEGROUND RD. 26505 MORGANTOWN, WV

DATEPRIN		MS OF SALE	SHIP VIA	FOB	FREIGHT TEAMS
10/17/ BID OPENING DATE:		<u> 30</u> 2009	BEST WAY BID	OPENING TIME OI	PREPATD:
LINE	GUANTITY	UOP CAT.	ITEMNUMBER	UNIT.PRICE	AMOUNT
	*****	*** ADD	ENDUM NO. 1 *	*****	P .
	L. QUESTION	s and answ	ERS ATTACHED.		
	D ADDENDIM	A CRNIOMIT.ED	GEMENT IS ATTACH	ED THIS	
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	EXHIBIT 10				
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PRESTPI	2017	FEIN 55068	6395	i	S TO BE NOTED ABOVE
W	IFN RESPONDING	TO RFQ. INSE	RT NAME AND ADDRESS	S IN SPACE ABOVE LABEL	ED VENDOR



RFQ COPY

TYPE NAME/ADDRESS HERE

#709043738 301-891,-6980

MORGANTOWN, NV 26505

BRUCETON PETROLEUM NO. TOUCH BRS PETROLEUM PROJUCTS, THE

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

Request for Quotation

HEGNUMBER FUELTT11 PAGE:

Commence of the second

ADDRESS CORRESPONDENCE TO AUTEN
TO ANN ADKINS
804-558-8802

SHIP

ALL STATE AGENCIES
AND POLITICAL SUBDIVISIONS
VARIOUS LOCALES AS INDICATED
BY ORDER

FREIGHTTERMS SHIP VIA TERMS OF SALE DATE PRINTED PREPAT 01:30PM 10/17/2009 NET 30 10/23/2009 BID OPENING DATE: ÇAT NO AMOUNT. UNITPRICE ITEM NUMBER UOP QUANTITY LINE 405-15 s 0001 1 GASOLINE THIS IS THE END OF RFQ FUELTEIL ***** TOTAL: SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE 6980 ADDRESS CHANGES TO BE NOTED ABOVE 550686395 WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

EXHIBIT 10

REQUISITION NO.: FUELTTI

ADDENDUM ACKNOWLEDGEMENT

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.

ADDENDUM NO.'S:
NO. 1
NO. 2
NO. 3
NO. 4
NO. 5
I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.

I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS. VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.

COMPANY

SIGNATURE

10/19/09 DATE

REV. 11/96

FUELTT11 Pricing Page

Vendor:	Bruceton Petroleum Company,	Inc. / BFS Petroleum Products, Inc	.	
DISTRICT	FUEL TYPE	Six Month's ESTIMATED	T/W Markup Bid	Potential Terminal Locations
	a de la companya de l	NEEDS (gals.)	Per Gallon	fuell will be pulled from
ONE	Unleaded Gasoline/E10	201,000		racii win de panea nom
	No. 2 Diesel	50,000		
	No. 2 Diesel w/Winter add,	170,000		
	No. 1 Heating/Kerosene	1		-
	No.2 Heating			•
TWO	Unleaded Gasoline/E10	220,000		
	No. 2 Diesel	33,000		
	No. 2 Diesel w/Winter add.	120,000		
	No. 1 Heating/Kerosene			
***************************************	No.2 Heating			
rupee	Unlanded Cosslins/E10	1770 000	^ ^ -	OWY
THREE	Unleaded Gasoline/E10	170,000	0.20725	
	No. 2 Diesel	63,000	0.20725	4
	No. 2 Diesel w/Winter add.	181,000	0.21225	PPA
	No. 1 Heating/Kerosene			
	No.2 Heating			
FOUR	Unleaded Gasoline/E10	243,000	0.15725	ΔΡΔ
	No. 2 Diesel	87,000	0.15725	3
	No. 2 Diesel w/Winter add.	245,000	0.15725	
	No. 1 Heating/Kerosene		0.10225	4
				MOH
	No.2 Heating			
FIVE	Unleaded Gasoline/E10	167,000		
	No. 2 Diesel	55,000		
	No. 2 Diesel w/Winter add.	143,000		
	No. 1 Heating/Kerosene			
	No.2 Heating	13,000		
SIX	Unleaded Gasoline/E10	127,000		
	No. 2 Diesel	52,000		
	No. 2 Diesel w/Winter add.	110,000		
	No. 1 Heating/Kerosene			
	No.2 Heating			
17777771	Unleaded Gasoline/E10	207.000		
SEVEN	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	207,000		
	No. 2 Diesel	98,000		
	No. 2 Diesel w/Winter add.	184,000		
	No. 1 Heating/Kerosene			
	No.2 Heating			
EIGHT	Unleaded Gasoline/E10	126,000		***************************************
	No. 2 Diesel	58,000		
	No. 2 Diesel w/Winter add.	170,000		
;		7,000		
	No. 1 Heating/Kerosene No.2 Heating	/,000		
	1 VO. & 1 1 VO. 10 10 10 15 15 15 15 15 15 15 15 15 15 15 15 15			
NINE	Unleaded Gasoline/E10	176,000		***************************************
	No. 2 Diesel	75,000		
	No. 2 Diesel w/Winter add.	210,000		
í	No. 1 Heating/Kerosene	,		
	No.2 Heating			
	- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1		. "	
			i	

TEN	Unleaded Gasoline/E10	214,000					
	No. 2 Diesel	68,000					
	No. 2 Diesel w/Winter add.	145,000					
	No. 1 Heating/Kerosene	170,000					
	No.2 Heating						
			_L				
Minimum (Gallonage for T/T:		www.etc.	7,5	500_		
Able to split deliveries between multiple locations?			Yes	X	No	Part 1	
Minimum Qty: T/T delivery for 2 locations within 20 Mile Proximity:			***************************************	7,	. <u>500</u> (2,000 N	Min. to One Location)	
T/T delivery for 4 locations within 30 Mile Proximity (Upcharge):			\$90.00				
Emergency	y Fee (Upcharge)		\$250.00		.00		
	Termin	al Abbreviations:					
	Altoona, PA - APA	Fairgax, VA	- FVA				
	Ashland, KY - AKY	Marietta, OH	- MOH				
	Charleston, WV - CWV	Pittsburgh, PA	- PPA				
Contract Co	oordinator:			Mike Gro	oves		
Phone Num	nber:	Cell:		(304) 276-7	005		
		Home:		(304) 329-2			
		Office:	(304) 291-6980 Ext.			ł
		1					1
signature:	ndelten lan Unionella elittä selää enterreenen elisetrituut vaita Tarellantutua ketuus vaitatuut enen ete	Mala	LC/-	<u> </u>		å syrrediktirseser vid et a syrrede en rederet a tell-kjeliferer i kapas ut deli	
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Date:		101	10/19/09				



BRUCETON FARM SERVICE, INC.
BRUCETON PETROLEUM CO., INC.
BFS FOODS, INC.
BRUCETON AG SERVICES, INC.
BFS PETROLEUM PRODUCTS, INC.

1768 MILEGROUND MORGANTOWN, WV 26505 PHONE (304) 291-6980 FAX (304) 291-6984

October 19, 2009

Equipment List required for bid FUELTW11 and FUELTT11

Bruceton Petroleum Co / BFS Petroleum Products operates multiple bulk plants throughout the state of West Virginia (List attached) in order to meet all contract requirements.

Each of our bulk plants have one or more short trucks ranging from 3,500 to 4,500 gallons of capacity that will enable our company to fulfill all of the contract requirement. In addition, we have a fleet of 10 tanker trucks ranging from 8,200 to 9,000 gallons of capacity for loads that exceed our short truck capacities.

Bruceton Petroleum Co. / BFS Petroleum Products looks forward to a quality relationship during the contract period.

Regards,

Mike A. Groves
Director Of Operations
Bruceton Petroleum Co, Inc.