

By ORDER OF the Commissioners' Court of Jackson County, Texas, sealed bids will be received for:

**FUEL PURCHASED ON AN AUTOMATED CARD SYSTEM
ANNUAL SUPPLY CONTRACT**

for

Precinct No. 1, Sheriff's Office,
Transfer Station, Constables, Maintenance, District Attorney, and Jail

SUBMISSION OF BIDS: Sealed bid shall be submitted to: Michelle Darilek, Jackson County Auditor, 411 N Wells St, Room 201, Edna, Texas 77957. Deadline for bid submission is:

December 15, 2021 at 2:00 PM

Sealed envelope containing bid should be marked:

BID FOR FUEL – CARD SYSTEM

This INVITATION FOR BID and accompanying SPECIFICATIONS AND BID SHEET(S) are for your convenience in bidding the enclosed referenced products and/or services for Jackson County.

All bids MUST be received in the Jackson County Auditor's Office BEFORE the opening date and time. Jackson County appreciates your time and effort in preparing a bid. Please note that all bids must be received at the designated location by the deadline shown. Bids received after the deadline will not be opened and shall be considered void and unacceptable. Opening is scheduled to be held in the County Auditor's office, 411 N Wells St, Room 201, Edna, Texas.

SCOPE OF BID

1. Jackson County is always very conscious and extremely appreciative of the time and effort you must have expended to submit a bid. We would appreciate you indicating on your "NO BID" response any requirements of this bid request, which may have influenced your decision to "NO BID."
2. Bids are solicited for furnishing the merchandise, supplies, services, and/or equipment set forth in this bid request for a period beginning the date of the contract award until the next award which should be in approximately twelve (12) months (January 2023) in accordance with the following Conditions of Bidding.
3. It is our policy **not to** furnish bid results over the phone. Bid results and tabulation sheets will be posted on the Jackson County website after bid award by Commissioners' Court at:
<http://www.co.jackson.tx.us/page/jackson.BidNoticesResults>
4. IT IS UNDERSTOOD that the Commissioners' Court of Jackson County, Texas reserves the right to accept or reject any and/or all bids for any or all products and/or services covered in this bid request and to waive informalities or defects in bids or to accept such bids as it shall deem to be in the best interest of Jackson County.
5. The following instructions apply to all bids and become a part of terms and conditions of any bid submitted to Jackson County, unless otherwise specified elsewhere in this bid request. All bidders are required to be informed of these Terms and Conditions and will be held responsible for having done so.

TAXES

1. As a governmental subdivision, Jackson County is exempt from most types of taxes, including but not limited to sales tax, excise tax, and import duties, by law. Jackson County will furnish, upon request, sales tax exemption forms to the bidder that is awarded bid. Bidder shall bear the responsibility of any sales or use tax if any product or supply is deemed to be taxable by the state. Such costs must not be included in bid prices.
2. JACKSON COUNTY TAXES: If the Bidder subsequently becomes delinquent in the payment of Jackson County taxes that may be grounds for cancellation of the contract. Despite anything to the contrary, if the Bidder is delinquent in payment of Jackson County taxes at the time of invoicing, Contractor assigns any payments to be made under this contract to the Jackson County Tax Assessor-Collector for the payment of delinquent taxes.

GENERAL CONDITIONS

1. BIDS MUST BE submitted on the enclosed Bid Documents. Each bid shall be placed in a separate sealed envelope, manually signed in ink by a person having authority to bind the firm in a contract, and marked clearly "**Card Lock/Fuel Card**" on the outside as outlined in the specifications.
2. Jackson County will evaluate and award bid based on *lowest and best bid meeting specifications*. "Lowest and best" means a bid or offer providing the best value considering associated direct and indirect costs, including transport, maintenance, reliability, life cycle, warranties, and customer service after a sale. Jackson County reserves the right to accept and/or reject any/all of the options bid as it deems to be in the best interest of the County.
3. The bid award shall be based on, but not necessarily limited to, the following factors:
 - a. Unit price
 - b. Extended price
 - c. Special needs and requirements of The County
 - d. Results of testing samples (if required by The County)
 - e. Delivery
 - f. The County experience with products bid
 - g. Bidder's past performance record with The County.
4. Although the cost of products to be provided is an essential part of the bid, The County is not obligated to award a contract on the sole basis of cost but will award to bidder considered to be the best value to the County.
5. The successful bidder should submit itemized invoices with clearly marked remittance copies to the following address, unless otherwise directed;

Jackson County Auditor
411 N. Wells, Room 201
Edna, TX 77957
6. Statements of accounts will not be sufficient to warrant payment. Unless other arrangements have been made; all invoices to be paid in full within 30 days after satisfactory delivery of commodities and or services and receipt of invoice at the listed address. Checks will be made payable to the successful vendor only, and shall not include

sub-contractor, assignees, or any other party. The county will not be liable for payment of invoices received six (6) months after order completion.

BID INFORMATION

1. The quantities listed are merely estimates of annual usage-not actual order amounts. During the period of the purchase contract, the County will buy only the actual quantity required, and it will neither be obligated to the purchase of nor limited to the quantities listed. These supplies will only be ordered as needed.
2. All bidders shall provide the Brand Name for each type of fuel in the space provided.
3. All bidders are required to bid a **MARK-UP** per gallon for each fuel type and location. **The Mark-Up shall include any and all delivery charges and fees that will be billed in addition to the Rack Price and Taxes that are listed.** MARK-UP MAY VARY BY LOCATION BUT WILL REMAIN CONSTANT THROUGHOUT THE TERM OF THE CONTRACT.
4. The County is aware that the Rack Price may vary throughout the term of the contract. Rack Prices shall be established each month and shall remain in effect for all orders placed within that month. Bidders shall note on the bid sheet the method or source that will be used throughout the term of the contract to determine the monthly Rack Price and shall provide a sample copy of any documentation available with their bid.
5. Commissioners have the right to reject, at any time, any material that is undesirable.
6. It is the Bidder’s sole responsibility to print and review all pages of the bid document, attachments, questions and responses, addenda, and special notices. The **Affidavit (Exhibit A)** must be completed to include full firm name, mailing address, telephone number, email address, Vendor Tax Identification Number and signed by an authorized representative of the firm. Failure to provide signature on the Affidavit Form renders bid non-responsive.
7. All bidders must complete the **“Conflict of Interest Questionnaire”**. (**Form CIQ, Exhibit B**) Texas Local Government Code chapter 176 requires that any vendor or person who enters or seeks to enter into a contract with a local government entity disclose in the Questionnaire Form CIQ the vendor or person’s employment, affiliation, business relationship, family relationship or provision of gifts that might cause a conflict of interest with a local government entity. The completed conflict of interest questionnaire must be turned in with your bid proposal to the Auditor’s office.
Any questions can be directed to the Texas Ethics Commission in Austin.
8. Jackson County Commissioners’ Court will not consider for action any contract with a business entity unless the business entity submits a Certificate of Interested Parties (Form 1295). A business entity will generate Form 1295 online **AFTER** notification of award on the bid. The Texas Ethics Commission promulgated rules to implement the law and established an online portal at <https://www.ethics.state.tx.us/filinginfo/1295> . The successful bidder must complete the form and submit the signed and notarized form before the contract is executed. Visit https://ethics.state.tx.us/whatsnew/elf_info_form1295.htm for more information.
Contract number is 2022004.

FUEL SPECIFICATIONS

Unleaded Gasoline	Free from water and suspended matter and octane of 87 (Average Method), 89, or 93
Diesel Fuel	Free from water and suspended matter

EXHIBIT A

STATE OF TEXAS {}
AFFIDAVIT
COUNTY OF JACKSON {}

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 _____, 20__.

Notary Public in and for
County, Texas

Name of Bidder _____
Signed by _____
Title _____
Address _____
Phone Number _____ Vendor Tax ID _____
E-Mail Address _____

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

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

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor or other person doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.
 This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).
 By law this questionnaire must be filed with the records administrator of the local governmental entity 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.
 A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

2 **Check this box if you are filing an update to a previously filed questionnaire.**

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

 Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. 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, other than investment income, from the filer of the questionnaire?

Yes No

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

Yes No

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

Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

4

 Signature of person doing business with the governmental entity

 Date

EXHIBIT C

County of Jackson, Texas

BIDDER/PROPOSER'S SDNs/BLOCKED PERSONS AFFIRMATION

NOTE: FAILURE TO SIGN AND RETURN THIS FORM WITHIN 10 DAYS MAY RESULT IN THE TERMINATION OF ANY RESULTING PURCHASE ORDER OR CONTRACT.

- 1. Pursuant to 44 CFR Part 13.35, the Bidder/Proposer, hereby affirms that Bidder/Proposer:

(Please check all that are applicable)

_____ Is **not** excluded from doing business at the federal level.

_____ Is **not** listed as Specially Designated Nationals (SDN)s/Blocked Persons (individuals and companies owned or controlled by or acting for or on behalf of targeted Countries; or individuals, groups and entities, such as terrorists and narcotics traffickers designated under programs that are not country-specific).

- 2. Pursuant to Government Code Chapter 2270, Subtitle F and Government Code Chapter 2252, the Bidder/Proposer hereby affirms that Bidder/Proposer:

_____ Does **not** boycott Israel or invest in companies that boycott Israel

_____ Does **not** conduct business with Iran, Sudan, or a foreign terrorist organization

The County of Jackson may not make procurement transactions with SDNs/Blocked Persons, companies that boycott Israel and/or companies that conduct business with any known terrorist organization. By signing below the authorized official does hereby depose and verify the truthfulness and accuracy of the contents and the statements on this certification.

Proposer/Respondent

Company Name _____

Proposer (Signature) _____ Date _____

Proposer (Print Name) _____

Title/Position with Company _____

Company Official Authorizing the Offer:

Company Official (Signature) _____ Date _____

Company Official (Print Name) _____

Company Official's Position _____

Corporate Vendors Shall Furnish the Following Information:

Where Incorporated _____ Charter Number _____

EXHIBIT D

VENDOR: _____

FUEL BID PROPOSAL

In response to your notice for competitive bids for fuel, we the undersigned, agree to furnish fuel, according to the attached fuel specifications, by the gallon, using an automated card system to Jackson County Precinct #1, Jackson County Sheriff's Department, Jackson County Transfer Station, Jackson County Constables, Jackson County Jail, Jackson County District Attorney, and Jackson County Maintenance at actual cost plus the following mark up and at the following twenty-four (24) hour availability location.

Mark Up per Gallon: \$ _____

Brand Name: _____

Physical Location: _____

***The Mark-Up shall include any and all delivery charges and fees that will be billed in addition to the Rack Price and Taxes that are listed.**

The contract period will be for a period of one year, beginning the date the bid is awarded by Jackson County Commissioners' Court. Cost changes will be calculated during the contract period based upon increases or decreases in actual cost by bidder's supplier. Evidence of actual cost and cost changes will be submitted to the County Auditor's office as changes occur. No invoices will be paid until evidence of costs and changes have been received by the County Auditor's office. The County reserves the right to confirm with bidder's suppliers the bidder's cost amounts. The term "Actual Cost" as used in the bid document is intended to be the cost of fuel less any discounts or rebates received from bidder's supplier plus actual freight charges paid by bidder.

Please provide beginning bid price per gallon as follows:

<u>PER GALLON:</u>	Unleaded Fuel 87 Octane	Unleaded Fuel 87 Octane Non-Eth	Unleaded Fuel 93 Octane	Diesel
(A) Beginning Actual Cost (Rack Price)	\$	\$	\$	\$
(B) Mark Up	\$	\$	\$	\$
(C) Applicable State Taxes *State but not Federal taxes.	\$	\$	\$	\$
(D) Total Cost	\$	\$	\$	\$