




**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

P.O. Box 119
Honolulu, Hawaii 96810-0119
Tel: (808) 587-4700
email: state.procurement.office@hawaii.gov
<http://spo.hawaii.gov>

January 9, 2015

TO: Executive Departments/Agencies
(Excludes University of Hawaii (UH), Department of Education (DOE) and their Charter Schools, Office of
Hawaiian Affairs (OHA) and Hawaii Health Systems Corporation (HHSC) and their Regional System Boards
and Hospitals)
County of Kauai - Department of Water

FROM: Sarah Allen
Administrator 

SUBJECT: **Change No. 5**
SPO Price List Contract No. 11-09
BULK DELIVERIES FOR GASOLINE AND DIESEL FUEL - KAUAI
Expires March 12, 2016
IFB-11-005-K

The following changes are made to the subject price list contract:

- Extend contract term to March 12, 2016.
- The State Procurement Office home page URL is changed to <http://spo.hawaii.gov>.

The current contract incorporating Change No. 5 is available on the SPO website:
<http://spo.hawaii.gov>. Click on *Price & Vendor List Contracts* on the home page.

If you have any questions, please contact Stanton Mato at (808) 586-0566, or email
stanton.d.mato@hawaii.gov.

STATE OF HAWAII
STATE PROCUREMENT OFFICE

SPO Price List Contract No. 11-09
Replaces SPO PL Contract No. 09-19
Includes Change No. 5
Revised 01/09/2015

BULK DELIVERIES FOR GASOLINE AND DIESEL FUEL-KAUAI

(IFB-11-005-K)

April 1, 2011 to March 12, 2016

PARTICIPATING JURISDICTIONS listed below have signed a cooperative purchasing agreement with the SPO and are authorized to utilize this price list contract:

- Executive Departments/Agencies
(Excludes UH, DOE and their Charter Schools, OHA and HHSC and their Regional System Boards and Hospitals)
- County of Kauai - Department of Water

The participating jurisdictions are not required but may purchase from this price list contract, and requests for exception from the contract is not required. Participating jurisdictions are allowed to purchase from other contractors; however, HRS chapter 103D and the procurement rules apply to purchases by using the applicable method of procurement and its procedures, such as small purchases or competitive sealed bidding. The decision to use this contract or to solicit pricing from other sources is at the discretion of the participating jurisdiction.

POINT OF CONTACT Questions regarding the products listed, ordering, pricing and status should be directed to the contractor(s).

Procurement questions or concerns may be directed as follows:

Jurisdiction	Name	Telephone	FAX	E-mail
Executive (Excludes UH, DOE and their Charter Schools, OHA, HHSC and their Regional System Boards and Hospitals)	Stanton Mato	586-0566	586-0570	stanton.d.mato@hawaii.gov
County of Kauai- Department of Water	Fay Tateishi	245-5426	245-5813	ftateishi@kauaiwater.org

USE OF PRICE & VENDOR LIST CONTRACTS BY NONPROFIT ORGANIZATIONS. Pursuant to HRS §103D-804, nonprofit organizations with current purchase of service contracts (HRS chapter 103F) have been invited to participate in the SPO price and vendor list contracts.

A listing of these nonprofit organizations is available at the SPO website: <http://spo.hawaii.gov>.

Click on *For Vendors > Non Profits> Cooperative Purchasing Program > View the List of qualifying nonprofits eligible to participate in cooperative purchasing.*

If a nonprofit wishes to purchase from a SPO price or vendor list contract, the nonprofit must obtain approval from each Contractor, i.e., participation must be mutually agreed upon. A Contractor may choose to deny participation by a nonprofit. Provided, however, if a nonprofit and Contractor mutually agree to this arrangement, it is understood that the nonprofit will retain its right to purchase from other than a SPO price or vendor list Contractors.

VENDOR INFORMATION:

Vendor

Kauai Petroleum Co. Ltd.

Telephone: (808) 245-1911

Facsimile: (808) 246-1054

Contact: Mr. David Harjo

E-Mail: david.harjo@senterkauai.com

Purchase Order Address

Kauai Petroleum Co. Ltd.

3185 Waapa Road

Lihue, Hawaii 96766

Remittance Address

Senter Petroleum, Inc.

3011 Aukele Street

Lihue, Hawaii 96766-1465

Vendor Code: 30787-00

VENDOR CODE for annotation on purchase orders is obtainable from the *Alphabetical Vendor Edit Table* available at your department's fiscal office. Agencies are cautioned that the remittance address on an invoice may be different from the address of the vendor code annotated on the purchase order.

COMPLIANCE. Prior to awarding a contract, the SPO verified compliance of the Contractor with all laws governing entities doing business in the State pursuant to HRS §103D-310(c), and SPO will monitor compliance throughout the term of the contract via *Hawaii Compliance Express (HCE)*. Therefore, purchasing agencies are not required to verify vendor compliance prior to utilizing a SPO Price or Vendor List Contract.

PURCHASE ORDERS may be issued on an as needed basis during the price list contract period. It is the responsibility of each agency to insure the issuance of purchase orders is not placed with the Contractor after the price list contract expiration date. Contractor shall not accept orders after the price list contract expiration date.

SPO PRICE LIST CONTRACT NO. 11-09 shall be typed on purchase orders issued against this price list contract.

ORDERING on a timely basis is the responsibility of each agency. Orders shall be issued on an as-needed basis during the price list contract period. Contractor shall accept orders for bulk gasoline delivered to its destination after the expiration date, only if the order was placed prior to the expiration date.

BASE UNIT PRICES include delivery to destination and all other costs incurred, except the following applicable taxes:

1. The Hawaii General Excise Tax (GET), not to exceed the current rate of 4.0% for sales made on Kauai and shall be computed only on the Unit Bid Price or subsequently adjusted Unit Bid Price (hereinafter referred to as *Adjusted Price*, excluding the Federal Excise Tax (FET), State and County fuel oil taxes and all other applicable taxes;
2. State and County fuel taxes as applicable to the appropriate County;
3. Federal LUST Tax;
4. Hawaii Environmental Response Tax;
5. Federal Oil Spillage Tax.

The Contractor shall list on the invoice the above taxes as separate line items to the base unit prices.

The State of Hawaii is exempt from the FET on gasoline and diesel fuel.

Base unit prices are subject to price adjustments based on Chevron Products Company price change notice to the Contractor. The price change notice is submitted to the SPO prior to the effective date the cost per gallon adjustment. The Contractor is not required to submit the cost per gallon price adjustments to the state agencies.

FET. Please note the following:

1. All gasoline and diesel fuel purchase from this price list contract are exempt from the FET. The FET shall not appear on the invoice.
2. The SPO will provide to the Contractor a *Federal Certificate of State or Local Government Use of Diesel Fuel and Gasoline* for the State of Hawaii. This document exempts the State of Hawaii from the FET for the state or government use of diesel fuel and gasoline. Any other form used for the FET must be approved by the SPO.

E-10 UNLEADED GASOLINE IN HAWAII

Gasoline shall meet the specifications for automotive spark ignition engine fuel as approved by the Measurement Standards Branch of the Hawaii State Department of Agriculture.

The sale, distribution and transportation of petroleum products specified herein shall comply with all current Federal, State and County laws and ordinances rules and regulations or as revised thereafter.

ULTRA LOW SULFUR DIESEL AND ULTRA LOW SULFUR DIESEL DYED

Ultra Low Sulfur Diesel and Ultra Low Sulfur Diesel Dyed shall meet the specifications for diesel fuel oils as approved by the Measurement Standards Branch of the Hawaii State Department of Agriculture.

The sale, distribution and transportation of petroleum products specified herein shall comply with all current Federal, State and County laws and ordinances rules and regulations or as revised thereafter.

DELIVERIES

Contractor is required to deliver all items outstanding on purchase orders received during the term of contract for delivery by the end of contract period.

Deliveries of gasoline and diesel shall be coordinated between the agencies and the Contractor. Agencies shall provide the Contractor with a twenty-four (24) hour notice prior to all bulk deliveries (storage tanks) of gasoline or diesel, unless otherwise agreed upon. Contractor may coordinate with each agency a delivery schedule within the specified delivery days satisfactory to both parties.

If a Contractor is unable to deliver products under contract, it shall be the Contractor's responsibility to obtain prior approval of the ordering agency to deliver an acceptable substitute at the contract price quoted. It shall be the Contractor's responsibility to obtain such substitute.

GAS AND DIESEL PRICE PER GALLON COST AVAILABLE ON THE INTERNET at the SPO website: <http://spo.hawaii.gov>. Click on *Price & Vendor List Contracts* on the home page.

VENDOR AND PRODUCT EVALUATION form SPO-012, for the purpose of addressing concerns on this price list contract, is available to agencies at the SPO website: <http://spo.hawaii.gov>. Click on *Forms* on the home page.

PRICE OR VENDOR LIST CONTRACT AVAILABLE ON THE INTERNET at the SPO website: <http://spo.hawaii.gov>. Click on *Price & Vendor List Contracts* on the home page.

Item No. Agency, Location, Above or Below Tank Capacity and Type of Fuel

State of Hawaii

Department of Land & Natural Resources

1. Forestry and Wildlife
4398-D Pua Loke, Lihue

Above Ground Tank Capacity: 2,000 gal. E10 87

Above Ground Tank Capacity: 1,000 gal. Ultra Low Sulfur Diesel

Department of Transportation

2. Airports
3901 Mokulele Loop #6, Lihue

Below Ground Tank Capacity: 4,000 gal. E10 87

Below Ground Tank Capacity: 1 ea @ 4,000 gal. Ultra Low Sulfur Diesel

Below Ground Tank Capacity: 3 ea. @ 500 gal Ultra Low Sulfur Diesel

Below Ground Tank Capacity: 1 ea @ 2,000 gal. Ultra Low Sulfur Diesel

ARFF Station

Above Ground Tank Capacity: 1 ea. @ 500 gal Ultra Low Sulfur Diesel

3. Highways Division
1720 Haleukana Street
Lihue, HI

Above Ground Tank Capacity: 5,000 gal. E10 87

Above Ground Tank Capacity: 5,000 gal. Ultra Low Sulfur Diesel

Above Ground Tank Capacity: 500 gal. Ultra Low Sulfur Diesel Dyed

Kauai Department of Water

4. 4398 Pualoke Street
Lihue, HI

Above Ground Tank Capacity: 2,000 gal. E10 87

Above Ground Tank Capacity: 1,000 gal. Ultra Low Sulfur Diesel