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**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

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April 28, 2017

TO: Executive Departments/Agencies
Department of Education
(Excludes Charter Schools)
Hawaii Health Systems Corporation
Office of Hawaiian Affairs
University of Hawaii
County of Kauai – Department of Water

FROM: For Sarah Allen, Administrator *Mara Smith*

SUBJECT: **Change No. 3**
SPO Price List Contract No. 16-10
DELIVERY OF BULK GASOLINE AND DIESEL FUEL - KAUAI
IFB-16-004-K
Expires: March 12, 2019

The following change is made to the price list contract:

1. The vendor code for Mid Pac Petroleum, LLC is listed on page 6.

This contract 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 Lori Cervantes at (808) 587-3355 or lori.m.cervantes@hawaii.gov.

**STATE OF HAWAII
STATE PROCUREMENT OFFICE**

SPO Price List Contract No. 16-10
Replaces SPO PL Contract No. 11-09
Includes Change No. 2
Effective: 4/28/2017

DELIVERY OF BULK GASOLINE AND DIESEL FUEL - KAUAI

(IFB-16-004-K)

March 13, 2016 to March 12, 2019

PARTICIPATING JURISDICTIONS listed below have signed a memorandum of agreement with the SPO and are authorized to utilize this price list contract.

Executive Departments/Agencies
Department of Education
(Excludes Charter Schools)
Hawaii Health Systems Corporation
Office of Hawaiian Affairs
University of Hawaii
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 are not required. Participating jurisdictions are allowed to purchase from other contractors, however, HRS chapter 103D and the procurement rules apply to purchases using the applicable procurement method and its procedures, such as small purchases or competitive sealed bidding. The decision to use this contract or to solicit pricing from other sources will be at the discretion of the participating jurisdiction.

POINTS 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	Phone	Fax	E-mail
Executive	Lori Cervantes	587-3355	586-0570	lori.m.cervantes@hawaii.gov
Department of Education (Excludes Charter Schools)	Procurement Staff	675-0130	675-0133	DOEProcure@notes.k12.hi.us
Hawaii Health Systems Corporation	Joe Evanoff	733-4168	733-4460	jevanoff@hhsc.org
Office of Hawaiian Affairs	Phyllis Ono-Evangelista	594-1833	594-1865	phylliso@oha.org
University of Hawaii	Matthew Chow (Primary) Karlee Hisashima	956-2765 956-8687	956-2096 956-2093	chowmatt@hawaii.edu karlee@hawaii.edu
County of Kauai – Department of Water	Fay Tateishi	245-5423	245-5813	ftateishi@kauaiwater.org

USE OF THIS PRICE LIST CONTRACT 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 an SPO price or vendor list contract, the nonprofit must obtain approval from each Contractor (participation must be mutually agreed upon, for example). A Contractor may choose to deny participation by a nonprofit. 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 an SPO price list Contractor(s).

VENDOR. The following vendor is authorized to provide Bulk Deliveries of Gasoline and Diesel Fuel on Kauai.

Mid Pac Petroleum, LLC

VENDOR CODES for annotation on purchase orders are obtainable from the *Alphabetical Vendor Edit Table Report* 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 PURSUANT TO HRS §103D-310(c). Prior to awarding this contract, the SPO verified compliance of the Contractor(s) named in the SPO Price List Contract No. 16-10. *No further compliance verification is required prior to issuing a contract, purchase order, or pCard payment when utilizing this 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 PL Contract No. 16-10 should be typed on purchase orders issued against this price list contract or notated on the appropriate transaction document.

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.

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.

PRICE ADJUSTMENT

The price adjustment shall be a pass through cost from the Contractor's supplier to the State. For each price adjustment, the Contractor shall submit to the State Procurement Office, a written documentation of the price increase or decrease from its supplier. The State reserves the right to contact the Contractor's supplier to confirm and substantiate all price changes that occurred during the contract period.

The Contractor shall notify the State Procurement Office, all price changes within twenty-four (24) hours of the effective price adjustment date. Price adjustment notices may be sent electronically or by facsimile to the State Procurement Office.

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

Delivery of gasoline and diesel fuel to the various agencies of the State and Counties shall be coordinated by the Contractor with each agencies delivery location. The agency shall notify the Contractor, with a minimum of a twenty-four (24) hour notice to schedule a delivery of bulk gasoline or diesel fuel. A shorter lead time must be agreed upon by both parties. Another alternative is for the Contractor to coordinate a delivery schedule with each user agency that specifies the day and time that is agreed upon by both parties.

Prior to delivery, the Contractor shall contact the agency to coordinate the delivery arrangements.

The Contractor is required to deliver all items outstanding at the end of the contract period on orders received during the term of the contract.

PAYMENTS are to be made to the remittance address of the Contractor(s). HRS §103-10, HRS, provides that the State shall have thirty (30) calendar days after receipt of invoice or satisfactory completion of contract to make payment.

GAS AND DIESEL PRICE PER GALLON IS AVAILABLE at the SPO website: <http://spo.hawaii.gov>. Click on *Price & Vendor List Contracts* on the home page and click on 16-10-Kauai in the search box.

VENDOR AND PRODUCT EVALUATION. Form SPO-012, Evaluation: Vendor or Product, 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.

VENDOR INFORMATION & BULK TANK SPECIFICATIONS - KAUAI

MID PAC PETROLEUM, LLC

PURCHASE ORDER ADDRESS	REMITTANCE ADDRESS
1132 Bishop Street Suite 2500 Honolulu, HI 96813	1132 Bishop Street Suite 2500 Honolulu, HI 96813
Vendor Code: 322224-00	

CONTACT INFORMATION			
<i>Contact:</i>	David Harjo	<i>Phone:</i>	(808) 245-1911
<i>Email:</i>	david.harjo@parpacific.com	<i>Fax:</i>	(808) 246-1054

Department of Land & Natural Resources	
1. Forestry and Wildlife 4398-D Pua Loke, Lihue Above Ground Tank Capacity: 2000 gal. Above Ground Tank Capacity: 1000 gal.	Regular 87 ULSD (On-Highway)

Department of Transportation	
2. Airports 3901 Mokulele Loop #6, Lihue Below Ground Tank Capacity: 4000 gal. Below Ground Tank Capacity: 1 ea @ 4000 gal. Below Ground Tank Capacity: 3 ea @ 500 gal. Below Ground Tank Capacity: 1 ea @ 2000 gal. ARFF Station Above Ground Tank Capacity: 1 ea @ 500 gal.	Regular 87 ULSD (On-Highway) ULSD (On-Highway) ULSD (On-Highway) ULSD (On-Highway)

Department of Transportation	
3. Highways Division 1720 Haleukana Street, Lihue Above Ground Tank Capacity: 5200 gal. Above Ground Tank Capacity: 5000 gal. Above Ground Tank Capacity: 500 gal.	Regular 87 ULSD (On-Highway) ULSD (Off-Highway)

Department of Water	
4. 4398 Pualoke Street, Lihue Above Ground Tank Capacity: 2000 gal. Above Ground Tank Capacity: 1000 gal.	Regular 87 ULSD (On-Highway)

HHSC

5. Kauai Veterans Memorial Hospital 4643 Waimea Canyon Road, Waimea Below Ground Tank Capacity: 10,000 gal.	ULSD (Off-Highway)
Samuel Mahelona Memorial Hospital 4800 Kawaihau Road, Kapaa Below Ground Tank Capacity: 2000 gal.	ULSD (Off-Highway)