



**VIRGINIA RAILWAY EXPRESS
AMENDMENT OF SOLICITATION
INVITATION FOR BIDS (IFB)
ADDENDUM No. 1**

Issued: March 22, 2024

IFB No.: 024-012

Title: Delivery of Diesel Fuel for VRE Locomotives

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This addendum is hereby incorporated into the solicitation documents of the above referenced IFB. The following items are clarifications, corrections, additions, deletions and/or revisions to the IFB, which shall take precedence over the original documents. ***Bold and Italics*** indicates additions while deletions are indicated by ~~strike through~~. Bidders must acknowledge receipt of this addendum by returning a signed original with their Bid.

DESCRIPTION OF AMENDMENT

The above numbered solicitation is amended as follows:

1. **INVITATION FOR BIDS: PART III – INSTRUCTIONS TO BIDDERS**

DELETE: Page 15, 16, 17 and 19

REPLACE WITH: Page 15R, 16R, 17R and 19R attached herewith

2. **ATTACHMENTS E – BID FORM FOR THE DELIVERY OF DIESEL FUEL FOR VRE LOCOMOTIVES: BROAD RUN**

DELETE: ATTACHMENT E in its entirety

REPLACE WITH: ATTACHMENT E, Revised March 22, 2024

3. **ATTACHMENTS F – BID FORM FOR THE DELIVERY OF DIESEL FUEL FOR VRE LOCOMOTIVES: CROSSROADS**

DELETE: ATTACHMENT F in its entirety

REPLACE WITH: ATTACHMENT F, Revised March 22, 2024

4. Except as specifically amended herein, all other terms and conditions of this solicitation remain unchanged and in full force and effect.

Bidders must acknowledge receipt of this amendment by returning a signed original with the Bid package prior to the hour and date specified in the solicitation. Failure to acknowledge receipt of this document may be grounds to declare your Bid non-responsive.

Company _____

Address _____

City _____ State _____ Zip Code _____

Name of Person Authorized to Sign _____
Print

Signature _____ Date _____

- C. The term “certified” is defined to mean that an officer of the organization includes a statement that the financial statements fairly present the financial position of the Bidder. The term “officer” is defined to mean the President, Chief Financial Officer, or Treasurer. Audited financial statements with the auditor’s opinion meet this requirement. Audited statements must be submitted, if available.
- D. The certified statement provided with the financial statements must read as follows:
- The financial information provided is correct to the best of my understanding.*
- E. If audited financial statements are not available, the above statement shall also note the following:
- No audited statements are available for the periods reported in the accompanying information.*
- F. VRE reserves the right to request additional financial information as may be required to determine the Bidder’s financial responsibility. If required, a formal request shall be made by VRE to the Bidder.

VII. PRICING INFORMATION

30. GENERAL PRICING INFORMATION

Bidders are strongly encouraged to read this section carefully. INCOMPLETE BIDS MAY CAUSE THE BID TO BE DEEMED NON-RESPONSIVE.

- A. Bidders shall submit the price information in **ATTACHMENT D – BID FORM CERTIFICATION** and **ATTACHMENT E – BID FORM FOR THE DELIVERY OF DIESEL FUEL FOR VRE LOCOMOTIVES: BROAD RUN** and/or **ATTACHMENT F – BID FORM FOR THE DELIVERY OF DIESEL FUEL FOR VRE LOCOMOTIVES: CROSSROADS** included in this solicitation.
- B. Bidders may submit a Bid for one (1) or both VRE Maintenance and Storage Facilities, Broad Run and/or Crossroads.
- C. The Bidder’s prices / differentials shall be quoted in U.S. Dollars.
- D. Differentials per gallon shall be taken to the **4th 3rd** decimal place.
- E. Unless indicated otherwise, the Bidder’s differentials shall be inclusive of all costs except for applicable taxes. The differentials shall include full compensation for all fees, delivery charges, labor, supervision, equipment, materials, supplies, tools, transportation, permits, licenses, insurance, overhaul and profit, etc. necessary to perform the work in conformance with the Contract and to the satisfaction of VRE. Extra charges will not be allowed.



- F. VRE is exempt from State motor fuel and excise tax and from many Federal taxes. Upon request by the Contractor, VRE will furnish a tax certificate of exemption. However, VRE will be responsible for any required Federal, State or Local fees.
- G. Every item of the Bid Form must be completed, or the Bid may be deemed non-responsive.
- H. No erasures or other handwritten changes may appear on the Bid Form.
- I. The Bid Form Certification must be signed.

VIII. BID SUBMISSION

31. PRICING REQUIREMENTS

- A. The basis for establishing the market price at which fuel shall be delivered under this Contract shall be the Daily Oil Price Information Service (OPIS) Fairfax Contract Average price for No. 2 Ultra Low Sulfur Diesel Fuel plus a fixed differential per gallon. This “OPIS plus differential” price is exclusive of all taxes. The monthly differentials over OPIS included in the Bid shall remain in effect for the Base Year of the Contract, July 1, 2024 through June 30, 2025.
- B. The Contractor shall provide VRE with the ability to fix or “lock in” the price of future fuel deliveries in 42,000-gallon increments, at VRE’s request. Fixing the price of future fuel deliveries may be done at any time prior to the month in which the delivery is to occur and all gallons under such fixed price agreements shall be received by VRE in the specified month.
- C. ~~For the purposes of this Invitation for Bids, The price of the gallons delivered under these fixed price agreements shall be equivalent to the NYMEX price for the corresponding month at the time of the price fix plus an *agreed upon* fixed differential per gallon. The fixed differential may be different for each calendar month to account for seasonal patterns. The NYMEX price shall be the futures price for the calendar month following delivery (e.g. July futures price for deliveries in June).~~
- D. ~~OPIS~~ differentials ~~to diesel fuel futures~~ shall be fixed for the Base Year of the Contract (July 1, 2024 through June 30, 2025). The Contractor may submit a request to VRE to change its monthly OPIS differentials ~~and NYMEX differentials~~ for each Option Year of the Contract. Such requests must be submitted by the Contractor to VRE in writing no less than ninety (90) calendar days prior to the expiration of the current Contract Year. VRE shall not be obligated to accept the OPIS ~~and NYMEX~~ differentials proposed by the Contractor nor to exercise each Option Year of the Contract.
- E. ~~The Bid Price shall be the weighted average of the OPIS differentials and the NYMEX (futures) differentials. The NYMEX differentials shall receive a weight~~



~~of 70% and the OPIS differentials a weight of 30%. The lowest total weighted average for the Base Year of the Contract shall be used as the basis for determining the lowest Bidder.~~

32. BID CERTIFICATION

- A. The Bidder agrees to provide the work/services specified herein, in compliance with the Scope of Work and/or Technical Specifications and other terms and conditions in this Invitation for Bids, at the price / differentials provided on the Bid Form.
- B. A representative duly authorized to bind the company must complete and sign the Bid Form Certification in **ATTACHMENT D** and submit it along with the Bid.

33. BID ORGANIZATION

- A. **Binding**: The Bid shall be bound using either wire, comb, spiral, or interscrew binding methods.
- B. **Cover**: The cover must clearly identify the Bidder's name, IFB number, and IFB title.
- C. **Tabs**: Tabs must be included and shall be identified by the *respective numbered and titled tabs* as outlined above.

34. BID FORMAT

- A. **Text**: The Bid must be typed. Type size must not be smaller than Microsoft Word Times New Roman 11-point font, normal proportional spacing. Text lines must be single-spaced.
- B. **Page**: A page shall be:
 - 1. "8-1/2 x 11" sheet of paper (minimum of 1/2" margins);
 - 2. Printed one-side only; and
 - 3. White or ivory stock background color.

35. HARD COPY

Each Bidder shall submit one (1) signed hard copy of the Bid.

36. ELECTRONIC COPY

Bidders shall submit one (1) USB memory device containing one (1) continuous electronic copy of the Bid package in PDF. Additionally, Bidders shall submit one (1) USB memory device containing one (1) continuous electronic copy of the financial statements in PDF, separate from the Bid USB memory device. Each electronic copy shall be labeled appropriately with the IFB number and title, Bidder's name, and date.



39. **SINGLE BID**

If a single conforming Bid is received, a price and/or cost analysis of the Bid shall be made by VRE. A price analysis is the process of examining and evaluating a prospective price without evaluation of the separate cost element. It should be recognized that a price analysis through comparison to other similar contracts shall be based on an established or competitive price of the elements used in the comparison. The comparison shall be made to the cost of similar projects and involve similar specifications.

40. **DISPOSITION OF BIDS**

Bidders' Bids will not be returned. VRE will retain the original Bid for the Contract file and destroy the remaining copies.

IX. **BID EVALUATION AND PRE-AWARD**

41. **BID EVALUATION**

A. Bids will be evaluated on the following basis:

1. Total bid price/~~Total weighted average~~;
2. Responsiveness to the IFB requirements;
3. Overall quality and completeness of the Bid; and
4. Responsibility of the Bidder.

B. VRE reserves the right to award two (2) Contracts *on the basis of the lowest total bid price for each VRE MSF*. A Contract is anticipated to be awarded for delivery of diesel fuel to each Maintenance and Storage Facility (MSF). This does not preclude a Bidder from being awarded a Contract to deliver diesel fuel to only one (1) MSF or from submitting a Bid for only one (1) MSF.

C. Following evaluation of Bids, VRE will make the award to the lowest responsible and responsive Bidder conforming to the solicitation requirements. Past experience performing the work described herein and the Bidder's capacity to perform the work will be taken into consideration in making the award.

42. **PRE-AWARD SURVEY**

A. After the due date and prior to Contract award, VRE shall have reviewed and evaluated all data submitted by the Bidder.

B. VRE reserves the right to perform or have performed a financial review of the successful Bidder's resources, and to require the submission of a statement of work in progress by the Bidder.

C. VRE may make such reasonable investigations as deemed proper and necessary to determine the Bidder's responsibility and ability to furnish the item(s) required in

