

Warren Township High School District #121

34090 N. Almond Road
Gurnee, Illinois 60031
Phone: (847) 548-7055
Fax: (847) 548-0564
Email: mengel@wths.net

NOTICE TO BIDDERS

The Board of Education of Warren Township High School District #121, 34090 N. Almond Road, Gurnee, Illinois 60031 will receive Bid Proposals for **DIESEL FUEL** all in accordance with the contract documents, including specifications as filed with the Assistant Superintendent of Business Services and Operations.

Bid documents and specifications are on file and may be examined any time on or after April 25, 2022.

Contact: Michael Engel
Assistant Superintendent of Business Services and Operations
Warren Township High School District #121
Board of Education
34090 N. Almond Road
Gurnee, Illinois 60031

Bid Due Date: 10:00 a.m. on May 16, 2022

The Board of Education reserves the right to waive any irregularities, reject any or all proposals, and to accept a bid other than the lowest bid when in its opinion, such action will serve the best interests of the Board of Education of Warren Township High School District #121.

For the Board of Education:

Dr. Michael Engel, CSBO
Assistant Superintendent of Business Services and Operations

INSTRUCTIONS TO BIDDERS

Bid Proposals

All bid proposals must be submitted on the form of the bid proposal marked EXHIBIT “A” and EXHIBIT “B” furnished by the Board of Education of Warren Township High School District #121.

Bid proposals submitted on other forms may be rejected. Facsimile copies of bids are not accepted.

Bid proposals must be signed (using ink) in longhand by person(s) legally authorized to perform such function. Evidence may be required to substantiate the signature.

Bid documents shall be submitted in sealed envelopes clearly labeled as follows:

BID PROPOSAL: DIESEL FUEL

ADDRESSED TO: Board of Education
Warren Township High School District #121
34090 Almond Road
Gurnee, IL 60031
ATTN: Dr. Michael Engel, CSBO

Interpretations, Discrepancies, and Omissions

No oral interpretations will be given to any Bidder as to the meaning of any bid documents and/or specifications. No oral response will be given to alleged discrepancies or omissions in the specifications or instructions. Any requests for interpretations or responses must be submitted in writing to the Board of Education, Warren Township High School District #121, 34090 Almond Road, Gurnee, Illinois 60031. No such requests received after **1:00 pm on May 9, 2022** will be considered. Any replies to requests received, will be issued to all known bidders by written Addendum. Furnish your email address to the District by email to mengel@wth.net. The District will furnish any addendum by email to you.

Bid Deposit

No bid deposit is required. Bidder also acknowledges their failure to perform within the intent of the bid solicitation may disqualify them from future bidding to the Board of Education, Warren Township High School District #121.

Examination of Specifications

Each bidder shall acquaint themselves with the conditions as they exist so that he may be completely familiar with the conditions pertinent to the fulfillment of the specifications and/or work required under the contract. Bidder's exercise of his privileges of the foregoing will in no way relieve the bidder from any obligation with respect to the bid proposal. The quantities indicated are a reasonable estimate at this

time. The Board of Education reserves the right to revise any or all quantities at the time they issue purchase orders.

Time for Receiving Bids

Bid proposals must be delivered to the Board of Education, Warren Township High School District #121, 34090 N. Almond, Gurnee, Illinois 60031 prior to **10:00 a.m. on May 16, 2022**, bid opening time. Bids received after the scheduled time will not be accepted.

Withdrawal of Bids

Bids may be withdrawn by written request of the person submitting the original bid. Such request must be received **prior** to the bid opening time.

Award of Contract

Contracts will be awarded to the lowest responsible bidder(s) if the bid complies with the conditions of the bid documents and if the award of the contract(s) is in the best interest of the Board of Education of Warren Township High School District #121.

Exemptions from Taxes

Warren Township High School District #121 is exempt from Federal, State and Municipal Taxes.

Reservation of Rights by the District

The Board of Education reserves the right to reject any and all bids.

The District reserves the right to award to any vendor which meets the minimum acceptable level of quality as outlined in the specifications. Products which are bid but do not meet or exceed the specifications as outlined in the bid documents will not be considered. The District has the right to entertain offers of deduct based on total award.

Department of Human Rights Regulations

All bidders must abide by and attest to the fact that they are in compliance with the Illinois Human Rights Act as amended effective July 1, 1993 (formerly the Fair Employment Practice Commission). The D.H.R. (formerly F.E.P.C.) number must be on the bid form. Bidders who do not have a D.H.R. number can satisfy this requirement by signing the enclosed Certificate of Compliance and submitting it with the bid.

Prevailing Wage Law

Bidders are required to pay no less than the prevailing wage for all laborers, workers and mechanics performing work under contract with the District. Also, it is required that the contractor shall provide assurance such as with a bond or letter containing a statement that will guarantee faithful performance in regard to the prevailing wage law. Enclosed is a form letter which if signed, notarized, and returned with your bid will satisfy this requirement.

Insurance Requirements

- 1.** The successful bidder shall expressly bind himself/herself to defend and save the District harmless from all suits or actions of every name and description including Scaffolding Act Liability. Successful bidder shall carry insurance, in company or companies acceptable to the District, for Worker's Compensation, Commercial General Liability, and Automobile liability.
- 2.** Each bidder shall submit as part of the bid, a certification of insurance in force to meet the above specifications. That certificate shall name Warren Township High School District #121 as an additional insured and shall state that all insurance listed above is primary. Warren Township High School District #121 shall be notified 30 days prior to any material change in the insurance.
- 3. Comprehensive General Liability Insurance:** The successful bidder shall maintain at all times during the contract Comprehensive Liability Insurance (including Road Form Property Damage) with limits for combined bodily injury and property damage of not less than \$1,000,000 for each occurrence and not less than \$1,000,000 aggregate.
- 4. Owner's Protective Liability:** The successful bidder shall maintain at all times during the contract Owner's Protective Liability with limits for combined bodily injury and property damage of not less than \$1,000,000 for each occurrence and not less than \$1,000,000 aggregate.
- 5. Comprehensive Auto Liability Insurance:** The successful bidder shall maintain at all times during the contract Comprehensive Auto Liability with limits for combined bodily injury and property damage of not less than \$1,000,000 for each occurrence and not less than \$1,000,000 aggregate.
- 6. Excess Liability:** An umbrella policy is required with minimum limits of \$3,000,000 per occurrence and will apply to both bodily injury and property damage. The umbrella policy shall apply over all primary coverage and limits of liability as listed in the preceding section. The umbrella coverage must be as broad as the primary policies and must be free of any restrictions that do not appear in the underlying policies.
- 7. Owned/Rented Equipment Insurance:** The Contractor shall secure, pay for and maintain whatever Fire or Extended Coverage Insurance deemed necessary to protect the Contractor against loss of owned or rented capital equipment and tools, including any tools owned by mechanics, and any tools, equipment, scaffoldings, staging, towers and forms owned or rented by the Contractor. The requirement to secure and maintain such insurance is solely for the benefit of the Contractor; Contractor shall require same coverage of Subcontractor. Failure of the Contractor to secure such insurance or to maintain adequate levels of coverage shall not obligate the Owner, or their agents and employees for any losses of owned or rented requirement. It is expressly understood and agreed that the Owner shall have no responsibility therefore, the Contractor secures such insurance the insurance policy shall include a waiver of subrogation clause as follows: "It is agreed that in no event shall this insurance company have any right of recovery against the Owner or their agents."

8. **Contractor's Obligation:** The procuring of the insurance required under this Contract shall be considered solely as securing Contractor's obligation or liabilities assumed under the Contract. Contractor shall remain fully liable and responsible for all such obligations, whether or not the insurance provided by the Contractor is approved by the Owner.

There will be no "Waivers of Subrogation" permitted on the insurance policy or contract between Warren Township High School District #121 and the contractor.

A copy of the Certificate of Insurance shall be furnished with the bid proposal. The following wording must appear in the section,

Description of Operations/Locations/Vehicles/Restrictions/Special Items:

Warren Township High School District #121 is named as additional insured as their interests may appear with respect to General Liability. Work cannot begin nor will any payments be issued until the Certificate of Insurance has been received with Warren Township High School District #121 being named as an additional insured.

Hold Harmless and Indemnity

The vendor shall assume the defense of and shall pay, indemnify and save harmless the District, its agents and employees, from all suits, actions, claims, damages, losses and costs of every kind and description to which they or their agents or employees may be subjected by reason of injury, including death, to persons, or damage to property resulting from our growing out of any act of commission or omission by the Vendor, its agents or employees, or its subcontractors.

Said defense will be applicable in connection with any activity, including any removal, relocation, construction, installation or maintenance work, service or operation being undertaken or performed by or for the Vendor whether on or off the site or any portion thereof, whether such suits, actions, claims, damages, or its agents and employees, or by other persons, corporations or legal entities to whom the district or its agents and employees, may be liable.

Signature Constitutes Acceptance

The signing of the bid form shall be construed as acceptance of all the provisions contained herein.

Bid Affidavit

I have examined the specifications and instruction included herein and agree, provided I am awarded a contract to provide the specified items and/or series or work as described in the specifications and instructions for the sum shown in accordance with the terms stated herein. All deviations from specifications and terms are in writing and attached hereto.

The Contractor/Vendor certifies that the Contractor is not barred from bidding on the contract as a result of a conviction for either bid rigging or bid rotating under Article 33E of the Criminal Code of 1961.

A written sexual harassment policy is in place in full compliance with Section 2-105 of the Illinois Human Rights Act.

By: _____ Printed Name of Agent
Signed Name of Company Agent

Title

Name of Vendor/Company

Subscribed and sworn to before me this _____ day of _____, 2022

Signature of Notary Public

Warren Township High School District #121

34090 Almond Road

Gurnee, Illinois 60031

Phone: (847) 548-7055 Fax: (847) 548-0564

Exhibit A

Page 1 of 2

Bid Summary – Diesel Fuel

All bids shall be submitted in a sealed envelope and delivered to the Warren Township High School District #121 **on or before May 16, 2022 at 10:00 am**. Faxed Bids will NOT be considered. It is the responsibility of the bidder to ensure that their bid arrives prior to the above stated TIME AND DATE. Any Bids received after the date and time will be deemed NO BID and returned unopened to the bidder. No corrections can be made after the time of opening

ITEM #1 NO. 2 DIESEL FUEL OIL, LOW SULPHUR 2% BIODIESEL – BLENDED DURING WINTER MONTHS

Tank capacity is 2,000 gallons

Tank is located at 500 N. O’Plaine Road, Gurnee, IL 60031

Warren Township High School #121, O’Plaine Campus

Estimated need for **2022-2023** is a fuel range of 72,000 to 89,000 gallons

During the months of November through March and at any time the forecast is for temperatures to drop to the gelling point (below 10 degrees Fahrenheit) for No. 2 fuel a blend of the 50-50 of No. 1 and No. 2 diesel fuel shall be delivered to the fuel tank at Warren Township High School.

All fuels delivered shall contain no alcohol.

Required Fuel Delivery: General delivery - twice weekly on Tuesday and Friday between 9:00 a.m. and 1:30 p.m. Additional delivery on an as needed basis.

Fuel	Unit Factor Per Gallon
NO. 2 DIESEL FUEL OIL, LOW SULPHUR 2% BIODIESEL	+ \$ _____ or - \$ _____

*Unit price factor per gallon plus (+) or minus (-) the OPIS/Chicago/Average as published. The winning vendor agrees to include a current copy of the “Oil Price Information Service (OPIS)/Chicago/Average” trade publication that supports vendors per gallon price with every invoice or statement sent to the Department of Transportation.

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Exhibit A

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Bid Summary – Diesel Fuel, cont'd

IMPORTANT: Bidders must bid Unit Price Factor only. Include delivery, winter additive package and other per gallon charges. No taxes are to be included in the Unit Price Factor

TAXES:

- A. It is understood that the Department of Transportation must pay a per gallon tax of \$0.455 Illinois Motor Fuel Tax for diesel, \$0.003 Illinois Underground Storage Tank Tax and \$0.008 environmental impact fee, Federal Oil Spill Tax of \$.0012, Federal UST Fee of \$.001 (total taxes=\$0.4682 per gallon).**

- B. FEDERAL EXCISE TAX (F.E.T.): It will be the responsibility of the vendor to pay the F.E.T. on all fuel purchases and apply for a refund on same. The Department of Transportation will not accept any invoices containing F.E.T.**

Firm Name _____

Address _____

Signed _____ Date _____

Print Name and Title _____

Telephone (____) _____ Fax (____) _____

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Exhibit B

Page 1 of 4

DIESEL FUEL BID

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

CERTIFICATION BY CONTRACTOR/VENDOR PURSUANT TO
CHAPTER 38, ARTICLE 33E OF THE ILLINOIS REVISED STATUTES

The Contractor/Vendor hereby certifies that said Contractor/Vendor was not barred from originally bidding on this contract or from entering into this Contract as a result of a Violation of either Section 33E-3 or 33E-4 of Public Contracts Act (Ill. Rev. Stat. Chapter 38, Article 33E).

CONTRACTOR'S/VENDOR'S CERTIFICATION BY:

By: _____
Print Name of Company Agent

Title

Signature of Bidder

Name of Vendor

Subscribed and sworn to before me this _____ day of _____, 2022

Signature of Notary Public

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Exhibit B

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DIESEL FUEL BID

STATEMENT OF NONDISCRIMINATION

I, _____, as a part of my bid on a contract for
(Contractor Name)

DIESEL FUEL at Warren Township High School District #121 certify:

- A. That in the hiring of employees for the performance of work under this contract or any subcontract, as contractor, or any persons acting on his behalf, shall, by reason of race, creed, or color, discriminate against any citizen of the State in the employment of labor or workers who are qualified and available to perform the work to which the employment relates.
- B. That no contractor, subcontractor, nor a person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this contract on account of race, creed, or color.
- C. For the performance of the contract, the contractor shall agree as follows: That all contractors or subcontractors will comply with all state laws regarding nondiscrimination. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated fairly during employment, without regard to their race, color, religion, national origin, age, ancestry, or gender.

By: _____
Print Name of Company Agent

Title

Signature of Bidder

Subscribed and sworn to before me this ____ day of _____, 2022

Signature of Notary Public

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Exhibit B

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DIESEL FUEL BID

PREVAILING WAGES STATEMENT

I, _____, as a part of my bid on a contract for
(Agent of Contractor)

DIESEL FUEL at Warren Township High School District #121, hereby certify that:

It shall be mandatory upon the contractor(s) to whom the contract is awarded and upon any subcontractor thereof to pay all laborers, workers, and mechanics employed by them not less than an up-to-date and current general prevailing rate of wages in the locality for each craft or type of workman or mechanic needed to perform such work and the current general prevailing rate for legal holidays and overtime pursuant to Illinois Department of Labor and pursuant to Illinois Law and Statutes in such cases made and provided. The Illinois Department of Labor will provide each County Clerk with the most recently revised prevailing wage rates determined by the Illinois Department of Labor on the first day of each month.

By: _____
Print Name of Company Agent

Title

Signature of Bidder

Subscribed and sworn to before me this _____ day of _____, 2022

Signature of Notary Public

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Exhibit B

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DIESEL FUEL BID

SEXUAL HARASSMENT POLICY CERTIFICATE

_____ contractor does hereby certify pursuant to Section 2-105 of the Illinois Human Rights Act (775 ILCS 5/2 – 105) that [he, she, it] has a written sexual harassment policy that includes, at a minimum, the following information: (1) the illegality of sexual harassment; (ii) the definition of sexual harassment under State Law; (iii) a description of sexual harassment, utilizing examples; (iv) an internal complaint process including penalties; (v) the legal recourse, investigative and complaint process available through the Department of Human Rights and Human Rights Commission; (vi) directions on how to contact the Department of Human Rights and Human Rights Commission; and (vii) protection against retaliation.

By: _____
Print Name of Company Agent

Title

Signature of Bidder

Subscribed and sworn to before me this _____ day of _____, 2022

Signature of Notary Public