



THE CITY OF KEY WEST

POST OFFICE BOX 1409
KEY WEST, FLORIDA 33041-1409
WWW.KEYWESTCITY.COM

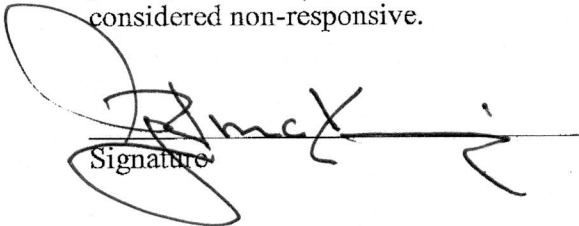
ADDENDUM NO. 1
ITB 13-012 – Fuel Supply

To All Bidders:

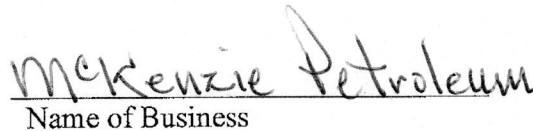
The following change is hereby made a part of ITB 13-012 – Fuel Supply, as fully and as completely as if the same were fully set forth therein:

BIDS MUST BE RECEIVED APRIL 3RD, 2013

All Bidders shall acknowledge receipt and acceptance of this Addendum No. 1 by acknowledging Addendum in their proposal or by submitting the addendum with the bid package. Bids submitted without acknowledgement or without this Addendum may be considered non-responsive.

A handwritten signature in black ink, appearing to be "J. McKenzie", written over a horizontal line. The signature is stylized and somewhat cursive.

Signature

A handwritten name in black ink, "McKenzie Petroleum", written over a horizontal line. The name is written in a clear, slightly cursive font.

Name of Business

**JOHN R. MCKENZIE JOBBER, INC.
DBA MCKENZIE PETROLEUM**

March 26, 2013

City Clerk
City of Key West
Attn: Sue Snider, Purchasing Agent
525 Angela Street
Key West, FL 33040-1409

RE: ITB PROJECT # 13-012

Dear City Clerk of Key West:

I would like to thank you for your invitation to bid on # 13-012. I am writing this letter to bring a few items to your attention, including the terms and conditions of the Marathon Petroleum brand affiliation.

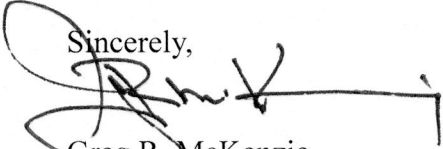
We will supply the Marathon Petroleum brand signs, but shall not be responsible for the permitting or installation of the signs. Additionally, Marathon Petroleum will provide the marina with a credit card machine and you will be responsible for the network equipment fee of \$120 monthly.

In January of 2000, the freight industry began levying a fuel surcharge due to the high prices of fuel. Currently, there is a 36% fuel surcharge on freight costs being charged to us by our freight carriers. This surcharge is based on the US Energy Information Administration East Coast Lower Atlantic average on-highway diesel fuel price which changes each Monday. This surcharge will be listed as a separate line item rather than be included in the per gallon freight charge. This surcharge is not reflected in the attached Bid # 13-012.

If we are awarded this bid, we would appreciate your assistance with early payment, in the same manner of payment you currently afford us, since we have only 10 days credit terms with our suppliers.

I truly hope that we have the opportunity to continue serving the City with its fuel needs. It has been a pleasure working with everyone there. If you have any questions or need further clarifications on any of the enclosed information, please feel free to contact me.

Sincerely,



Greg R. McKenzie
President

Notice to Bidder: Use Black Ink or Type For Completing the Form.

BID

To: The City of Key West
Address: PO BOX 1409, Key West, Florida 33040
Project Title: Fuel Supply
Project: ITB #13-012

BIDDER'S INFORMATION

Name: **JOHN R. MCKENZIE JOBBER, INC.
DBA MCKENZIE PETROLEUM**

Address: **PO BOX 640
210 TAVERNIER STREET
TAVERNIER, FL 33070**

Contact Name: **RHONDA ITTNER**

Email: **mckenzie_petro@bellsouth.net**

Telephone: **(305) 852-2881**

Fax: **(305) 852-3760**

BIDDER'S DECLARATION AND UNDERSTANDING

The undersigned, hereinafter called the Bidder, declares that the only persons or parties interested in this Bid are those named herein, that this Bid is, in all respects, fair and without fraud, that it is made without collusion with any official of the Owner, and that the Bid is made without any connection or collusion with any person submitting another Bid on this Contract.

The Bidder further declares that he/she has carefully examined the Contract Documents for the construction of the project, that he/she has personally inspected the site, that he/she has satisfied himself/herself as to the quantities involved, including materials and equipment, and conditions of work involved, including the fact that the description of the quantities of work and materials, as included herein, is brief and is intended only to indicate the general nature of the work and to identify the said quantities with the detailed requirements of the Contract Documents, and that

BID RESPONSE FORM A

BID 003-13

90 OCTANE NON-ETHANOL UNLEADED FUEL

To furnish and deliver Supreme 90 Octane Non-Ethanol Unleaded Gasoline to City of Key West Bight.

Florida Sales Taxes are exempt. FL Sales Tax #54-03-022507-54C
All other taxes and fees are to be excluded in this bid.

Bidder must specify brand of fuel **MARATHON PETROLEUM**
Bidder must specify and attach terms and conditions for handling of Brand Affiliates Credit Cards, including costs for credit card readers, POS machine, discount rate, if any and etc. as are necessary to handle company brand credit cards.

Freight and margin to Key West Bight **\$.0883** PER GALLON OVER RACK RATE FROM PORT EVERGLADES. **Plus all applicable fuel taxes.**

History trend of rack price attached (Port Everglades) YES NO (Required)

NOTARIZED COPY OF POSTING ATTACHED) YES NO

Awarded Bidder will be responsible for Branding of fuel dispensers and Branding of the main fuel sign on the dock.

BID RESPONSE FORM B

BID 003-13

NO. 2 ULTRA LOW SULFUR DIESEL (DYED)

To furnish and deliver No. 2 Ultra Low Sulfur Diesel (Dyed) to the City of Key West Bight.

Florida Sales Taxes are exempt. FL Sales Tax #54-03-022507-54C

All other taxes and fees are to be excluded in this bid.

Bidder must specify brand of fuel **MARATHON PETROLEUM**

Bidder must specify and attach terms and conditions for handling of Brand Affiliates Credit Cards, including costs for credit card readers, POS machine, discount rate, if any and etc. as are necessary to handle company brand credit cards.

Freight and margin to Key West Bight **\$.1012** PER GALLON OVER RACK RATE FROM PORT EVERGLADES. **Plus all applicable fuel taxes.**

History trend of rack price attached (Port Everglades) X YES NO (Required)

NOTARIZED COPY OF POSTING ATTACHED) X YES NO

Awarded Bidder will be responsible for Branding of fuel dispensers and Branding of the main fuel sign on the dock.

BID RESPONSE FORM C

BID 003-13

87 OCTANE UNLEADED GASOLINE (MAX 10% ETHANOL BLEND)

To furnish and deliver 87 Octane Unleaded Gasoline (Max 10% Ethanol Blend) to the City Garage.

Florida Sales Taxes are exempt. FL Sales Tax #54-03-022507-54C

All other taxes and fees are to be excluded in this bid.

Bidder must specify brand of fuel **MARATHON PETROLEUM**

Bidder must specify and attach terms and conditions for handling of Brand Affiliates Credit Cards, including costs for credit card readers, POS machine, discount rate, if any, and etc. as are necessary to handle your company brand credit cards.

Freight and margin to City Garage \$.0883 PER GALLON OVER RACK RATE FROM PORT EVERGLADES. **Plus all applicable fuel taxes.**

History trend of rack price attached (Port Everglades) X YES NO (Required)

NOTARIZED COPY OF POSTING ATTACHED) X YES NO

BID RESPONSE FORM D

BID 003-13

B-20 BIO DIESEL BLENDED ULTRA LOW SULFUR

To furnish and deliver B-20 Bio Diesel blended Ultra Low Sulfur to the City Garage

Florida Sales Taxes are exempt. FL Sales Tax #54-03-022507-54C

All other taxes and fees are to be excluded in this bid.

Bidder must specify brand of fuel **UNBRANDED**

Bidder must specify and attach terms and conditions for handling of Brand Affiliates Credit Cards, including costs for credit card readers, POS machine, discount rate, if any, and etc. as are necessary to handle your company brand credit cards.

Freight and margin to City Garage \$.1012 PER GALLON OVER RACK RATE FROM PORT EVERGLADES. **Plus all applicable fuel taxes.**

History trend of rack price attached (Port Everglades) X YES NO (Required)

NOTARIZED COPY OF POSTING ATTACHED) X YES NO

SUBCONTRACTORS

The Bidder further proposes that the following subcontracting firms or businesses will be awarded subcontracts for the following portions of the work in the event that the Bidder is awarded the Contract:

Portion of Contract: **FREIGHT CARRIER**

Name: **FLORIDA KEYS PETROLEUM, INC.**

Address: **PO BOX 674, TAVERNIER, FL 33070**

Portion of Contract:-----

Name: -----

Address: -----

Portion of Contract:-----

Name: -----

Address: _____

BIDDER

The name of the Bidder submitting this Bid is: **MCKENZIE PETROLEUM**

Doing business at **PO BOX 640, 210 TAVERNIER STREET**

City **TAVERNIER** State **FLORIDA** Zip **33070**

Telephone No. **(305) 852-2881**

This address is where all communications concerning this Bid shall be sent.

The names of the principal officers of the Corporation submitting this Bid, or of the Partnership, or of all persons interested in this Bid as Principals are as follows:

Name

Title

GREG MCKENZIE

PRESIDENT

JESSICA MCKENZIE

VICE PRESIDENT & SECRETARY

If Corporation

IN WITNESS WHEREOF the undersigned corporation has caused this instrument to be executed and its seal affixed by its duly authorized officers this 26th day of March, 2013.

(SEAL)

Name of Corporation

By: 

Title: President

Attest: 

Secretary

If Sole Proprietor or Partnership

IN WITNESS hereto the undersigned has set his/her/its hand this _____ day of _____, 2013.

Signature of Bidder _____

Title _____

**SWORN STATEMENT UNDER SECTION 287.133(3)(a) FLORIDA
STATUTES. ON PUBLIC ENTITY CRIMES**

PROJECT RFP #13-012: FUEL SUPPLY

**THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR
OTHER OFFICE AUTHORIZED TO ADMINISTER OATHS.**

1. This sworn statement is submitted with Bid, Proposal or Contract No.
13-012 for FUEL SUPPLY.

2. This sworn statement is submitted by

JOHN R. MCKENZIE JOBBER, INC., dba MCKENZIE PETROLEUM
whose business address is

PO BOX 640, 210 TAVERNIER STREET, TAVERNIER, FL 33070
and (if applicable) its Federal Employer Identification Number (FEIN) is **59-2135539**
(If the entity has no FEIN, include the Social Security Number of the individual signing this
sworn statement.)

3. My name is **GREGORY R. MCKENZIE** and my relationship to
the entity named above is **PRESIDENT.**

4. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes,
means a violation of any state or federal law by a person with respect to and directly related to the
transaction of business with any public entity or with an agency or political subdivision of any
other state or with the United States, including but not limited to, any bid or contract for goods or
services to be provided to any public entity or an agency or political subdivision of any other state
or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering,
conspiracy, material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.
6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means
1. A predecessor or successor of a person convicted of a public entity crime: or
 2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
7. I understand that a "person" as defined in Paragraph 287.133(1)(8), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.
8. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies.)

Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND (Please indicate which additional statement applies.)

There has been a proceeding concerning the conviction before a hearing of the State

of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. (Please attach a copy of the final order.)

___ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order.)

___ The person or affiliate has not been put on the convicted vendor list. (Please describe any action taken by or pending with the Department of General Services.)

(Signature)

(Date)

STATE OF FL

COUNTY OF Monroe

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

Greg R. McKenzie who, after first being sworn by me, affixed his/her signature in the (Name of individual signing)

space provided above on this 26th day of March, 2013.

My commission expires:

[Signature]
NOTARY PUBLIC

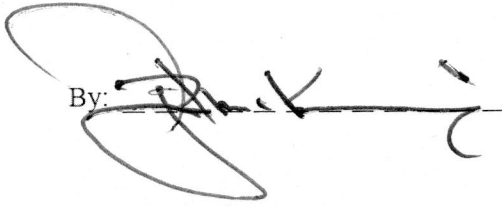


EQUAL BENEFITS FOR DOMESTIC PARTNERS AFFIDAVIT

STATE OF FLORIDA)

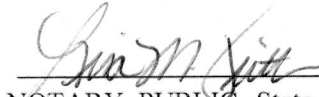
COUNTY OF Monroe)

I, the undersigned hereby duly sworn, depose and say that the firm of McKenzie Petroleum provides benefits to domestic partners of its employees on the same basis as it provides benefits to employees' spouses per City of Key West Ordinance Sec. 2-799.

By: 

Sworn and subscribed before me this

26th day of March, 2013


NOTARY PUBLIC, State of Florida at Large

My Commission Expires:



