# 05718– Marine Refueling Services and Fuels

Frequently Asked Questions (FAQ)

Contract FAQs

**Purchaser Related**

1. **Can I choose any awarded Contractor to purchase from this Contract?**

This Contract has one awarded Contractor to provide Marine Refueling Services and Fuels to Washington State Ferries (WSF). Given the unique requirements for redundant, reliable Marine Refueling Services and the special facilities, services, and market conditions, Enterprise Services exercised its statutory authority set forth in RCW 39.26.125(4) to undertake direct negotiations to negotiate, develop, and establish this statewide Contract No. 05718 for the following Fuel Products categories delivered through a redundant, reliable Marine Refueling Services Contract including Truck-to-Vessel, Pier-to-Vessel, and Vessel-to-Vessel Marine Refueling Services:

1. Gasoline
2. Ultra Low Sulfur Diesel Dyed (ULSD) Fuels
3. Biodiesel Dyed - BS - B99
4. Renewable Hydrocarbon Diesel (RHO)
5. Diesel Exhaust Fluid (DEF)

State of Washington Agency customers are not required to conduct further competition to choose an awarded Contractor. Other customers should follow their applicable rules regarding Contractor selection.

1. **How can I determine the best awarded Contractor to use?**

There is only one awarded Contractor on this Contract. The Contract with this Contractor was directly negotiated. Enterprise Services recommends reviewing the Contract summary page for information about Contractual information, pricing, delivery service fee, and any special provisions. Purchasers can also review the “vendor and Contract performance feedback” submitted by other purchasers to Enterprise Services. Purchasers should email the Contract Administrator with the request to view the feedback. Please note that this survey information does not represent the opinion of Enterprise Services, simply feedback from purchasers.

Note that the pricing stated in this Contract is the **maximum** that Contractor may charge purchasers. Purchasers are able to request and possibly negotiate deeper discounts for fuels and delivery service fees.

1. **What does it mean if the Contractor is the main award vs reserved award?**

There is only one Contractor on this Contract whose Contract was directly negotiated. This Contractor is a main award, and the Contract does not have a reserved award.

1. **Who can (or cannot) use this Contract?**

Eligible purchasers include:

**Washington State Agencies**. All Washington state agencies, departments, offices, divisions, boards, and commissions.

**Washington State Institutions of Higher Education (Colleges).** Any the following institutions of higher education in Washington: State universities – i.e., University of Washington & Washington State University; Regional universities – i.e., Central Washington University, Eastern Washington University, & Western Washington University; Evergreen State College; Community colleges; and Technical colleges.

**CUA Parties**. Any of the following types of entities that have executed a [Contract Usage Agreement](https://apps.des.wa.gov/DESContracts/Home/MCUAListing) with Enterprise Services: Political subdivisions (e.g., counties, cities, school districts, public utility districts, ports) in the State of Washington; Federal governmental agencies or entities; Public-benefit nonprofit corporations (i.e., public benefit nonprofit corporations as defined in RCW 24.03A.245 who receive federal, state, or local funding); and Federally-recognized Indian Tribes located in the State of Washington.

Presently, the largest purchaser is Washington State Ferries. Contractor, however, is obligated to provide Marine Refueling Services and Fuels to any eligible Purchaser pursuant to this Contract.

Enterprise Services maintains a list of eligible Contract Usage Agreement parties on the [CUA Listing website.](https://apps.des.wa.gov/DESContracts/Home/MCUAListing)

1. **What is the pricing model?**
* Fuel Products pricing is set forth on a benchmark model using the current Oil Price Information Service (OPIS) daily average for a specifically identified rack pricing as the benchmark price. Pricing consists of the OPIS daily average price per gallon, plus Contractor's stated Adder number (Pier-to-Vessel, Vessel-to­Vessel) and Multiplier (Truck-to-Vessel).
* Pricing structure of this Contract is as follows:

Rack location OPIS Average rate + Multiplier/Adder + Delivery Service Fee

* For all deliveries made on Saturday and/or Sunday fuel prices invoiced for those deliveries shall reflect OPIS DAILY AVERAGE rack prices posted on the Friday prior to the weekend.
1. **Which day OPIS rate should be used on the invoices?**

The price for Fuel Products shall be OPIS Closing Average Wholesale Rack Report gross price published at 5:59 P.M( ~2 pm - 3 pm PST which would be 5 pm - 6 pm EST) for the day the applicable fuel is delivered and for the rack outlined in the Contract for that delivery location. If it should occur that the OPIS publication is not published for any given day, then the previous day's publication shall be used to determine the daily price.

For all deliveries made Saturday and/or Sunday fuel prices invoiced for those deliveries shall reflect OPIS DAILY AVERAGE rack prices posted the Friday prior to the weekend.

1. **Which day OPIS rates does Enterprise Services use when posting daily fuel prices on** [**DESFuelPricePage**](https://des.wa.gov/sites/default/files/2022-12/DESFuelPricePage.xls) **of the Contract summary page?**

Enterprise Services uses OPIS Closing Average Wholesale Rack Report gross price published at 5:59 P.M(~2 pm - 3 pm PST which would be 5 pm - 6 pm EST) for the day the applicable fuel is delivered and for the rack identified in the table below for that delivery location.

For all deliveries made Saturday and/or Sunday fuel prices invoiced for those deliveries shall reflect OPIS DAILY AVERAGE rack prices posted the Friday prior to the weekend.

For example, the fuel price posted on the [DES Fuel Price Page](https://des.wa.gov/sites/default/files/2022-12/DESFuelPricePage.xls) of the Contract summary page on March 18, 2025, will reflect the OPIS average rates from March 18, 2025. However, for all deliveries made on Saturday and/or Sunday fuel prices invoiced for those deliveries shall reflect OPIS DAILY AVERAGE rack prices posted the Friday prior to the weekend.

1. **Do OPIS rates posted on the DES Contract summary page include Contractor’s multiplier/adder?**

Yes, the prices listed on the [DES Fuel Price Page](https://des.wa.gov/sites/default/files/2022-12/DESFuelPricePage.xls) of the Contract summary page include the Contractor’s multiplier/adder. For example, the Contractor's multiplier for the Anacortes Terminal—ULSD Diesel #2 Dyed Truck to Vessel is $1.0226. This multiplier is factored into the prices posted on the DES Contract summary page for the Anacortes Terminal—ULSD Diesel #2 Dyed Truck to Vessel.

1. **What are key performance commitments from Contractors?**

Some Performance Commitments are as follows:

1. Greenhouse Gas Reduction.
2. Service Level.
3. Purchaser Engagement.
4. Vendor Management Fee.
5. Contract Sales Reports.
6. Contractor Representation and Warranties.
7. Fuel Products Quality Requirements.
8. Fuel Delivery Requirements.
9. Marine Refueling Services.
10. Invoicing and Payments.
11. Price Ceiling: Although Contractor may offer lower prices to Purchasers, during the term of this Contract, Contractor guarantees to provide the Fuel Products at no greater than the prices set forth in Exhibit B – Fuel Products Prices.
12. Insurance Endorsements: Timely provide to Enterprise Services at the designated address, without exception, annual insurance endorsements for the insurance coverages required by this Contract. See Exhibit C – Insurance Requirements at § 4.
13. **How do I get involved with or participate in developing the solicitation that will replace this Contract?**

Enterprise Services generally makes a determination on developing a new Contract that replaces expiring Contracts one year before the current Contract expires. The solicitations that are currently in development appear on the [planned procurement](https://apps.des.wa.gov/DESContracts/Home/PlannedProcurement) page. If you are interested in participating, please contact the Contract administrator listed on that page.

1. **What should a purchaser do if a Contractor is not performing?  Who should a purchaser contact at Enterprise Services or how to escalate a performance issue with the Contractor?**

If there is a Contractor that is not preforming, the purchaser should first seek to resolve the issue directly with the Contractor. If the performance issue is unresolved, reoccurring, or in need of escalation, please contact the Enterprise Services Contract Administrator listed on the Contract page. Enterprise Services relies on purchasers that are working with the Contractors to notify us of any issues. Enterprise Services staff can aggregate any Contractor performance issues across purchasers to ensure good performance for all. Please send relevant information on the performance issue so that Enterprise Services staff can assist.

1. **How can I purchase greener products? How do I know a product is toxics free? Where did the environmental certifications/factors come from?**

Response

Please refer to the Enterprise Services [environmentally preferred purchasing page](https://des.wa.gov/services/contracting-purchasing/policies-training/resources/environmentally-preferred-purchasing) for more information.

**Contractor Related**

1. **When can I get added to the Contract?**

Contracts can only be awarded to Contractors that submit a bid on the opportunity when it is posted to WEBS.

Contracts for the state are awarded through a competitive solicitation process via our [online solicitation system WEBS.](https://pr-webs-vendor.des.wa.gov/) Enterprise Services has a [registration page](https://des.wa.gov/sell/how-work-state/register-bid-opportunities) that explains the registration process. If you have questions on the registration process, please contact WEBS customer service, (360) 902-7400.

Enterprise Services also has information on [doing business with the state](https://des.wa.gov/sell/how-work-state) for you to review. There is also a page on [bid opportunities](https://des.wa.gov/sell/bid-opportunities) with Enterprise Services, though all official opportunities are posted through WEBS.

1. **Who do I contact if I have invoice or vendor management fee questions?**

Please contact the Contract administrator listed on the Contract summary page.

1. **What price should the Contractor use on the invoices?**

Contractor should use the prices listed on the [DES Fuel Price Page](https://des.wa.gov/sites/default/files/2022-12/DESFuelPricePage.xls) of the Contract summary page on the delivery day. Therefore, for deliveries scheduled for today, Contractors should use the prices posted on the [DES Fuel Price Page](https://des.wa.gov/sites/default/files/2022-12/DESFuelPricePage.xls) of the Contract summary page for today. For instance, for fuel delivered on March 18, 2025, Contractors should use the price posted on the DES Fuel Price Page of the Contract summary page on March 18, 2025. However, for all deliveries made on Saturday and/or Sunday, the OPIS DAILY AVERAGE rack prices posted the Friday before the weekend should be used.

1. **How is vendor management fee (“VMF”) calculated under this Contract?**

Contractor shall pay to Enterprise Services a vendor management fee ("VMF") of 0.15 percent on the purchase price for all statewide Contract sales (the purchase price is the total invoice price less applicable sales tax(s)). The sum owed by Contractor to Enterprise Services as a result of the VMF is calculated as follows:

**Amount owed to Enterprise Services = Total Master Contract sales invoiced (not including sales tax) x 0.0015**

The VMF must be shown as a separate line item on any invoice unless specifically requested otherwise by Enterprise Services.

1. **When are quarterly sales reporting due?**

Quarterly sales reports are due and past due based on the following timeframes:

|  |  |  |
| --- | --- | --- |
| **Sales Made**  | **Report Due By**  | **Report Past Due**  |
| 1 January – 31 March  | April 30  | May 1  |
| 1 April – June 30  | July 31  | August 1  |
| 1 July – September 30  | October 31  | November 1  |
| 1 October – December 30  | January 31  | February 1  |

Please check the [sales reporting website](https://apps.des.wa.gov/CSR/login.aspx) which has the following general [reporting instructions](https://apps.des.wa.gov/CSR/Vendor_Qtrly_Sales_Rpt.pdf).

1. **When are vendor management fee invoices due?**

After sales have been reported, Contractors will receive an invoice to remit to Enterprise Services the vendor management fee payment. Please wait to receive an invoice from Enterprise Services before sending payment. This is to ensure your payment can be identified, accepted, and applied correctly. Contractor must pay the vendor management fee invoice within thirty (30) calendar days.

1. **Who do I contact for contact updates?**

Please contact the Contract administrator listed on the Contract summary page.

1. **How do I check for authorized purchasers?**

Please check the [Contracts Usage Agreement (CUA) signed agreement list](https://apps.des.wa.gov/DESContracts/Home/MCUAListing) to see the list of authorized purchasers for Enterprise Services Contracts. The [[Washington State website](https://wa.gov/)](https://wa.gov/) can help navigate to the governmental entities on the list.

1. **How do I report EPP purchases? How do I submit products with green certifications?**

Please refer to the Enterprise Services [environmentally preferred purchasing page](https://des.wa.gov/services/contracting-purchasing/policies-training/resources/environmentally-preferred-purchasing) for more information.