



Idaho Division of Purchasing

Statewide Blanket Purchase Order

Purchase Order Summary

Purchase Order Name: Zone 3 Bulk Fuel
Contract Number: SBPO20200181
Contract Value: 250,000.00 USD
Purchase Order Date: 10/18/2016
Submitted By: Daniel Downen

Instructions

NOTICE OF STATEWIDE CONTRACT (SBPO) AWARD

This Contract is for Statewide Bulk Fuel, awarded on behalf of State of Idaho Agencies, institutions, departments, and eligible public agencies as defined by Idaho Code Section 67-2327, pursuant to the attached agreement, governed by all the terms, conditions, and pricing, of ITB17200380. This Contract shall be for the period noted above or until a new contract is executed, whichever comes first.

Public Agency Clause: Yes

Contractor Contact: David Byrnes

Phone: 1 590-547-3326

E-mail: david@connelloil.com

This Contract is to be drawn upon as requested by the Ordering Agency for the period noted above. **THIS NOTICE OF AWARD IS NOT AN ORDER TO SHIP.** Purchase orders against this SBPO will be furnished by the Ordering Agency on whose behalf this Contract is made. Contractor must ship and bill directly to the Ordering Agency. **DO NOT INVOICE DOP** unless DOP is the Ordering Agency. Notating the Contract Award Number on any invoices/statement will facilitate the efficient processing of payment.

QUANTITIES: DOP can only give approximations of quantities; no maximum or minimum quantities can be guaranteed.

This SBPO, including any attached files, constitutes the State of Idaho's acceptance of your signed Bid (including any electronic submission), which is incorporated herein by reference. In the event of any inconsistency, precedence shall be given in the following order:

1. This SBPO

2. The State of Idaho's exemption and Contract SBPO20200181
3. The Contractor's signed Bid

Signature :Danny Downen

Signed By : Daniel R. Downen *DD*

Contract for BULK FUEL
SBPO20200181

PARTIES

STATT OF IDAHO
By and Through the Division of Purchasing

"The State"
"DOP"

and

CONNELL OIL INC. DBA CO ENERGY

"Contractor"

RECITALS

- A. DOP awarded to Baird Oil Co. ("Baird") a contract (SBPO17200380 or the "Former Contract") for the purchase of Bulk Fuels in Zone 3, by any state agencies or public agencies, effective November 28, 2016.
- B. On October 8, 2019, Baird sold its business to Contractor, and stopped providing bulk fuel under the Former Contract.
- C. State agencies have a continuing and, in some cases, increasing need for bulk fuel; it is unreasonable, impractical, and disadvantageous for agencies to wait to buy additional fuel until a new competitive solicitation can be completed to replace the Former Contract.
- D. On November 11, 2019, DOP approved an exemption from competition to enter into a new contract (SBPO20200181 or "this Contract") with Contractor to provide state and public agencies the ability to continue to purchase bulk fuel in Zone 3 while a new competitive solicitation can be conducted and awarded.
- E. The parties now agree to enter into this Contract pursuant to the exemption signed by DOP.

AGREEMENT

Based on the above recitals, which are incorporated as if set forth in full, and good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Terms and Conditions

The parties agree to the purchase of bulk fuels in accordance with the terms and conditions of the Former Contract, including any documents or attachments incorporated by reference into the former contract. Contractor shall have all of the rights and obligations conferred to Baird in the Former Contract.

2. Usage

This Contract shall be a statewide contract, available for use by state agencies and public agencies, as detailed in the Former Contract; however, it shall be optional use for all entities.

3. Contract Term

This Contract shall remain in effect until DOP issues a new mandatory use statewide contract resulting from a competitive solicitation. In no event shall the term of this Contract be longer than one (1) year.

This Contract will become effective on the date of the last signature. In no event shall this Contract be effective until signed by DOP.

Division of Purchasing

Daniel R. Downen A.A.

Daniel Downen
Purchasing Officer

Date: 11/5/2019

Connell-Oil Inc. DBA CO Energy

Shalon Braswell

Shalon Braswell
Chief Operations Officer

Date: 11-5-19