



STATE OF TENNESSEE
Department of Agriculture

**REQUEST FOR PROPOSALS # 32505-02442
AMENDMENT # 1 FOR
LABORATORY TESTING OF ENGINE AND HEATING
FUELS, REPORTING OF RESULTS, AND RELATED
SUPPORT SERVICES**

DATE: 12/21/2022

RFP # 32505-02442 IS AMENDED AS FOLLOWS:

1. This RFP Schedule of Events updates and confirms scheduled RFP dates. Any event, time, or date containing revised or new text is highlighted.

EVENT	TIME (central time zone)	DATE
1. RFP Issued		December 1, 2022
2. Disability Accommodation Request Deadline	2:00 p.m.	December 6, 2022
3. Pre-response Conference	9:00 a.m.	December 7, 2022
4. Notice of Intent to Respond Deadline	2:00 p.m.	December 8, 2022
5. Written "Questions & Comments" Deadline	2:00 p.m.	December 13, 2022
6. State Response to Written "Questions & Comments"		December 21, 2022
7. Response Deadline	2:00 p.m.	January 4, 2023
8. State Completion of Technical Response Evaluations		January 11, 2023
9. State Opening & Scoring of Cost Proposals	2:00 p.m.	January 12, 2023
10. Negotiations (optional)		January 12-13, 2023
11. State Notice of Intent to Award Released <u>and</u> RFP Files Opened for Public Inspection	2:00 p.m.	January 18, 2023
12. End of Open File Period		January 25, 2023
13. State sends contract to Contractor for signature		January 26, 2023
14. Contractor Signature Deadline	2:00 p.m.	January 30, 2023

2. State responses to questions and comments in the table below amend and clarify this RFP.

Any restatement of RFP text in the Question/Comment column shall NOT be construed as a change in the actual wording of the RFP document.

RFP SECTION	PAGE #	QUESTION / COMMENT	STATE RESPONSE
General Scope Question	N/A	1.) If ASTM adds a new/additional method as an alternative for an existing method, will this be acceptable to the State of TN to use the alternative or newer methods? (Example: ASTM D4814 specification now allows for D7345 for Distillation in addition to existing method D86 for Distillation)	Yes – Since D7345 is listed in the most recent version of D4814 Standard Specification for Automotive Spark-Ignition Engine Fuel.
General Scope Question	N/A	2.) Will Specification be provided (Min/Max) for the analysis to be utilized for data review?	Yes
RFP Attachment 6.2, Section A.8.	Pg. 23	3.) What are the penalties for delays in reporting within the 4-day turnaround time?	There are no financial penalties for missing the 4-day turnaround. Please see Item 4 below.
General Scope Question	N/A	4.) Are there any possibilities for pre-scheduled sample pickups to ensure coordination and shipping can be pre planned or will it be “as called?”	Yes – Planned. Our courier driver travels on Monday, Tuesday, and Thursday to get samples and he is met in Nashville to transfer them to the laboratory representative.
General Scope Question	N/A	5.) What if any are the transportation delays exceptions?	The agency will work with the contracted laboratory if there are any transportation delays to and from the laboratory.
RFP Attachment 6.2	Pg. 21	6.) Is there any grace period on ISO 17025 Certification for additional in network laboratories that we will utilize to support this work? Ex: Current lab is certified in the required analysis; support lab ISO 17025 process will be pending during beginning months of Contract execution if awarded.	No, there will not be a grace period. Per section A.5. of the pro forma contract a Respondent must be currently accredited by the effective date of the Contract. Please see Item 3 and Attachment 3 below.
RFP Attachment 6.7, Pro Forma Contract Section A.12.	Pg. 48	7.) Does the state provide the reporting format for results and any other required documentation or can respondents use their own?	Per section A.12 of the pro forma, “Each result shall indicate the compliance status of each specification parameter in a format dictated by the data management software supplied by the State.” The State has provided example data reports as Attachment 1 and Attachment 2 to this Amendment, but these reporting formats are subject to change based upon the software the State is using, per A.12.c.of the pro forma contract.
RFP Attachment 6.7, Pro Forma Contract Section A.14.	Pg. 49	8.) What is the length of time for retaining samples?	Please see RFP Attachment 6.7, Pro Forma Contract Section A.14.
RFP Attachment 6.7, ProForma Contract Section C.2.	Pg. 51	9.) Will there be an escalation clause during the term of the contract?	No. Please see Pro Forma section C.2. regarding compensation rates for the duration of the contract.

3. Delete RFP Attachment 6.2 — Section A: Mandatory Requirements in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

RFP ATTACHMENT 6.2. — Section A

TECHNICAL RESPONSE & EVALUATION GUIDE

SECTION A: MANDATORY REQUIREMENTS. The Respondent must address all items detailed below and provide, in sequence, the information and documentation as required (referenced with the associated item references). The Respondent must also detail the response page number for each item in the appropriate space below.

The Solicitation Coordinator will review the response to determine if the Mandatory Requirement Items are addressed as required and mark each with pass or fail. For each item that is not addressed as required, the Proposal Evaluation Team must review the response and attach a written determination. In addition to the Mandatory Requirement Items, the Solicitation Coordinator will review each response for compliance with all RFP requirements.

RESPONDENT LEGAL ENTITY NAME:			
Response Page # (Respondent completes)	Item Ref.	Section A— Mandatory Requirement Items	Pass/Fail
		The Response must be delivered to the State no later than the Response Deadline specified in the RFP Section 2, Schedule of Events.	
		The Technical Response and the Cost Proposal documentation must be packaged separately as required (refer to RFP Section 3.2., <i>et seq.</i>).	
		The Technical Response must NOT contain cost or pricing information of any type.	
		The Technical Response must NOT contain any restrictions of the rights of the State or other qualification of the response.	
		A Respondent must NOT submit alternate responses (refer to RFP Section 3.3.).	
		A Respondent must NOT submit multiple responses in different forms (as a prime and a subcontractor) (refer to RFP Section 3.3.).	
	A.1.	Provide the Statement of Certifications and Assurances (RFP Attachment 6.1.A.) completed and signed by an individual empowered to bind the Respondent to the provisions of this RFP and any resulting contract. The document must be signed without exception or qualification.	
	A.2.	Provide a statement, based upon reasonable inquiry, of whether the Respondent or any individual who shall cause to deliver goods or perform services under the contract has a possible conflict of interest (e.g., employment by the State of Tennessee) and, if so, the nature of that conflict. NOTE: Any questions of conflict of interest shall be solely within the	

RESPONDENT LEGAL ENTITY NAME:			
Response Page # (Respondent completes)	Item Ref.	Section A— Mandatory Requirement Items	Pass/Fail
		discretion of the State, and the State reserves the right to cancel any award.	
	A.3.	Provide the 6.1.B. Response to Legal Requirements completed and signed by an individual empowered to bind the Respondent to the veracity of the statements. Respondents answering “yes” to any of the questions in 6.1.B. must provide a detailed explanation. The State reserves the right to review the Respondent’s answers provided to the 6.1.B. Response to Legal Requirements and determine whether a Respondent is responsive. Additionally, the State reserves the right to issue clarifications to a Respondent based upon their responses.	
	A.4.	Detail the name, e-mail address, mailing address, telephone number, and if applicable, facsimile number of the person the State should contact regarding the response.	
	A.5.	Provide a current bank reference indicating that the Respondent’s business relationship with the financial institution is in positive standing. Such reference must be written in the form of a standard business letter, signed, and dated within the past three (3) months.	
	A.6.	Provide two current positive credit references from vendors with which the Respondent has done business written in the form of standard business letters, signed, and dated within the past three (3) months.	
	A.7.	Provide an official document or letter from an accredited credit bureau, verified and dated within the last three (3) months and indicating a satisfactory credit score for the Respondent (NOTE: A credit bureau report number without the full report is insufficient and will <u>not</u> be considered responsive.)	
	A.8	Provide a statement attesting that all primary and support laboratories will be ISO 17025 certified prior to contract start date and that active accreditation for all laboratories associated with awarded supplier shall be submitted to the agency prior to contract start date.	
State Use – Solicitation Coordinator Signature, Printed Name & Date:			

4. Delete RFP Attachment 6.7 - Section A.12 in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

A.12. Reporting of Results

The Contractor shall review analytical results for accuracy and report to the State such accurate analytical results for each sample submitted by the State within four (4) business days after the sample has been released to the Contractor. **If Contractor cannot meet the reporting deadline of a submitted sample, the Contractor must notify the State immediately and request the State's written approval of such delay.** A sample shall be considered released to the Contractor after delivery to the laboratory operating in the Nashville Metropolitan area or delivered to any Contractor representative designated to coordinate shipment of samples to a laboratory outside the Nashville Metropolitan area.

The Contractor shall be responsible for evaluating the test results obtained on each sample against product specifications adopted as State standards. These standards can be found in State of Tennessee Department of Agriculture Rules 0080-05-12 and TCA 47-18-13. The State shall be contacted by either telephone or e-mail immediately upon the determination that a sample test parameter has failed any state standard. Each result shall indicate the compliance status of each specification parameter in a format dictated by the data management software supplied by the State.

Any parameter result reported that will result in a non-compliant sample will be tested a minimum of two (2) times for the parameter in question before the results are reported to the State. When a test method allows for more than one procedure, the procedure generally considered the most precise and reliable must be used to confirm that a sample is out of specification. If there is more than one procedure and the Contractor is unsure which procedure to follow, the Contractor must seek guidance from the State.

The requirements for use of and connection to the TDA Licensing & Permitting System(s) shall be as follows:

- a) To remain in sync with the Fuel Quality Program, the Contractor shall enter results into the existing State vendor portal through 03/31/2023 and begin using the new CoreOne LCP system on the target go-live date of 04/03/2023. The State, at its sole discretion, may instruct the Contractor to continue to enter results into the existing State vendor portal until a later date.
- b) The Contractor shall ensure that transmitted results update the Petroleum Sample Results form, without requiring manual entry by TDA staff.
- c) The Contractor shall participate in the testing of the new system, CoreOne LCP, with vendor Trace First, prior to the go-live date of April 3, 2023.
- d) The Contractor and all data centers used by the Contractor to host State data, including those of all Subcontractors, must comply with the State's Enterprise Information Security Policies as amended periodically. The State's Enterprise Information Security Policies document is found at the following URL:
<https://www.tn.gov/finance/strategic-technology-solutions/strategic-technology-solutions/sts-security-policies.html>.
- e) The Contractor agrees to maintain the Application so that it will run on a current, manufacturer-supported Operating System. "Operating System" shall mean the software that supports a computer's basic functions, such as scheduling tasks, executing applications, and controlling peripherals.

- f) If the Application requires middleware or database software, Contractor shall maintain middleware and database software versions that are at all times fully compatible with current versions of the Operating System and Application to ensure that security vulnerabilities are not introduced.

5. **RFP Amendment Effective Date.** The revisions set forth herein shall be effective upon release. All other terms and conditions of this RFP not expressly amended herein shall remain in full force and effect.

Petroleum Sample

Collected: 19-Dec-2022		Name: [REDACTED]	
Inspection Type: Routine		Inspector: [REDACTED]	
Facility Type: Pump, Standard Flow		Business Type: Retailer	
Sample Location: [REDACTED]		Received: Reported:	
County: [REDACTED]		Sampler Comments:	
Sample No. [REDACTED]	Supplier	Prod Gasoline	Grade Regular Unleaded
Brand [REDACTED]	Blending	T-N-C	
Number	Oxy	AKI/CN	Gallons Storage
Delivery	PPG		
RON	MON	AKI	CI
CN	S	Visual Por F	
Test	Units	Method	Result
Research Octane Number		D2699	
Motor Octane Number		D2700	
Antiknock Index		R+M/2	
Vapor Pressure	kPa	D5191	
Vapor-Liquid Ratio	Deg.C	D5188	
Phase Separation	Deg.C	D4814-Phase Sep	
Workmanship		Visual	
Ethanol	Vol.%	D4815	
Methanol	Vol.%	D4815	
Propanols	Vol.%	D4815	
n-Butanol	Vol.%	D4815	
sec-Butanol	Vol.%	D4815	
tert-Butanol	Vol.%	D4815	
isc-Butanol	Vol.%	D4815	
MTBE	Vol.%	D4815	
TAME	Vol.%	D4815	
ETBE	Vol.%	D4815	
DIPE	Vol.%	D4815	
Total Oxygen	Mass%	D4815	
Distillation IBP	Deg.C	DSG	
Distillation 5%	Deg.C	DSG	
Distillation 10%	Deg.C	DSG	
Distillation 20%	Deg.C	DSG	
Distillation 30%	Deg.C	DSG	
Distillation 40%	Deg.C	DSG	
Distillation 50%	Deg.C	DSG	
Distillation 60%	Deg.C	DSG	
Distillation 70%	Deg.C	DSG	
Distillation 80%	Deg.C	DSG	
Distillation 90%	Deg.C	DSG	
Distillation 95%	Deg.C	DSG	
Distillation E.P.	Deg.C	DSG	
Distillation Residue	Vol.%	DSG	
Distillation Recovery	Vol.%	DSG	
Distillation Loss	Vol.%	DSG	
Driveability Index		DI Cale	

Petroleum Sample

Collected: 19-Dec-2022		Name: [REDACTED]				
Inspection Type: Routine		Inspector: [REDACTED]				
Facility Type: Pump, Standard Flow		Business Type: Retailer				
Sample Location: [REDACTED]		Received: Reported:				
County: [REDACTED]		Sampler Comments:				
Sample No. [REDACTED]	Supplier	Prod Diesel	Grade No. 2D S15, Biodiesel <6%			
Brand [REDACTED]	Blending	T-N-C				
Number	Oxy	AKI/CN	Gallons Storage			
Delivery	PPS					
RON	MON	AKI	CI			
CN	S	Visual Por F				
Test	Units	Method	Result	Min	Max	C
Flash Point	Deg.C	D93		52		
Sulfur	ppm	D5453			15	
Cetane Index		D4737		40		
Cetane Number		D613				
Cetane No.		D6890				
Lubricity	micron	D6079			520	
Water & Sediment	Vol.%	D2709			0.05	
Water - KF Titration	Mass%	E1064				
Workmanship		Visual				
Haze Rating		D4176				
Particle Count - 4 micron	counts/ml	D7619				
Particle Count - ISO Code 1		D7619				
Particle Count - 6 micron	counts/ml	D7619				
Particle Count - ISO Code 2		D7619				
Particle Count - 14 micron	counts/ml	D7619				
Particle Count - ISO Code 3		D7619				
Cloud Point	Deg.C	D2500				
LTFT	Deg.C	D4539				
Biodiesel Content	Vol.%	D7371			5.0	
Distillation IBP	Deg.C	D86				
Distillation 5%	Deg.C	D86				
Distillation 10%	Deg.C	D86				
Distillation 20%	Deg.C	D86				
Distillation 30%	Deg.C	D86				
Distillation 40%	Deg.C	D86				
Distillation 50%	Deg.C	D86				
Distillation 60%	Deg.C	D86				
Distillation 70%	Deg.C	D86				
Distillation 80%	Deg.C	D86				
Distillation 90%	Deg.C	D86		282	338	
Distillation 95%	Deg.C	D86				
Distillation E.P.	Deg.C	D86				
Distillation Residue	Vol.%	D86				
Distillation Recovery	Vol.%	D86				
Distillation Loss	Vol.%	D86				
Relative Density	15.5/15.5	D4052				

RFP ATTACHMENT 6.2. — Section A

TECHNICAL RESPONSE & EVALUATION GUIDE

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		The Response must be delivered to the State no later than the Response Deadline specified in the RFP Section 2, Schedule of Events.	
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	A.3.	Provide the 6.1.B. Response to Legal Requirements completed and signed by an individual empowered to bind the Respondent to the veracity of the	

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RESPONDENT LEGAL ENTITY NAME:			
Response Page # (Respondent completes)	Item Ref.	Section A— Mandatory Requirement Items	Pass/Fail
		<p>statements. Respondents answering “yes” to any of the questions in 6.1.B. must provide a detailed explanation.</p> <p>The State reserves the right to review the Respondent’s answers provided to the 6.1.B. Response to Legal Requirements and determine whether a Respondent is responsive. Additionally, the State reserves the right to issue clarifications to a Respondent based upon their responses.</p>	
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	A.8	Provide a statement attesting that all primary and support laboratories will be ISO 17025 certified prior to contract start date and that active accreditation for all laboratories associated with awarded supplier shall be submitted to the agency prior to contract start date.	
<p><i>State Use – Solicitation Coordinator Signature, Printed Name & Date:</i></p>			