

ORIGINAL

<b>Gasoline</b>		OPIS +/-	
<b>RFG with 10% ETHANOL</b>	<b>87 OCTANE</b>	<b>MEO +/-</b>	
Transport 7500 gallons or greater		\$0.0342	Minus
Transports 4000 to7499		\$0.0242	Minus
Tankwagon 3999 or less		\$0.0142	Minus
Tankwagonbuyer truck		\$0.0242	Minus **
<b>RFG with 10% ETHANOL</b>	<b>89 OCTANE</b>		
Transport 7500 gallons or greater		\$0.0342	Minus
Transports 4000 to7499		\$0.0242	Minus
Tankwagon 3999 or less		\$0.0142	Minus
Tankwagonbuyer truck		\$0.0242	Minus **
<b>RFG with 10% ETHANOL</b>	<b>91/93 OCTANE</b>		
Transport 7500 gallons or greater		\$0.0342	Minus
Transports 4000 to7499		\$0.0242	Minus
Tankwagon 3999 or less		\$0.0142	Minus
Tankwagonbuyer truck		\$0.0242	Minus **
<b>E-85 Summer Blend</b>	<b>***</b>		
Transport 7500 gallons or greater		\$0.0325	Plus
Transports 4000 to7499		\$0.0825	Plus
Tankwagon 3999 or less		\$0.1325	Plus
Tankwagonbuyer truck		\$0.0825	Plus **
		N/A	

**ULSD TxLED Diesel**

Transport 7500 gallons or greater		\$0.0093	Plus
Transports 4000 to7499		\$0.0193	Plus
Tankwagon 3999 or less		\$0.0493	Plus
Tankwagonbuyer truck		\$0.0193	Plus **
<b>Red-Dyed TxLED ULSD 15PPM ***</b>	add \$.0050(1/2 cent) to above TxLED ULSD Totals if red dyed diesel is required		
<b>BioDiesel B-2</b>			
Transport 7500 gallons or greater		\$0.0221	Minus
Transports 4000 to7499		\$0.0121	Minus
Tankwagon 3999 or less		\$0.0179	Plus
Tankwagonbuyer truck		\$0.0121	Minus**
<b>BioDiesel B-5</b>			
Transport 7500 gallons or greater		\$0.0521	Minus
Transports 4000 to7499		\$0.0421	Minus
Tankwagon 3999 or less		\$0.0121	Minus
Tankwagonbuyer truck		\$0.0421	Minus**
<b>BioDiesel B-10</b>			
Transport 7500 gallons or greater		\$0.1021	Minus
Transports 4000 to7499		\$0.0921	Minus
Tankwagon 3999 or less		\$0.0621	Minus
Tankwagonbuyer truck		\$0.0921	Minus**
<b>BioDiesel B-15</b>			
Transport 7500 gallons or greater		\$0.1521	Minus
Transports 4000 to7499		\$0.1421	Minus
Tankwagon 3999 or less		\$0.1121	Minus
Tankwagonbuyer truck		\$0.1421	Minus**
<b>BioDiesel B-20</b>			
Transport 7500 gallons or greater		\$0.2021	Minus
Tankwagon 4000 to7499		\$0.1921	Minus
Tankwagon 3999 or less		\$0.1621	Minus
Tankwagonbuyer truck		\$0.1921	Minus**
Fee for Truck Pump Use	\$50.00		
Fee for a Split Load	\$50.00		
Fee for Loads Less than 3999	\$50.00		

Does not include any applicable Federal, State or Local Taxes

MEO will apply as a separate line item any tax or fee imposed by a Federal or State agency

See addendum for OPIS referenced items

\*\*\*There is not a listing on Dallas OPIS for E-85 product. MEO referenced the closest OPIS reporting city with an E-85 product listing. That is the OPIS report for Oklahoma City, Ok.

\*\* See addendum for red diesel explanation, if ordering the margin is 1/2 cent above the TxLED ULSD pricing on this page. 1/2 cent is for dye cost.

These are delivered cost. Your invoice will only have these charges, applicable taxes and fees from state and federal agencies, split load fees, deliveries less than 3999 gallons, use of pump to pump off the load, Any other charge would be for additive package or treatment of tanks with an algae or bacteria problem.

\*\* If an agency has their own trucks that meets all standards and regulations of a common carrier they will or can load at our facility at 2700 James Street Denton, Texas 76205. This is a bottom loading facility If they wish to load at a commercial terminal they will have to meet all requirements set forth by the agreeing terminal.



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**Tarrant County Bid No. 2010-046  
Contract for Fuels  
Addendum**

1. Attached, one copy of References
2. Martin Eagle Oil Co., Inc. has a warehouse/terminal located at 2700 James Street, Denton, Texas. MEO can load all products we offer at that facility or load qualified and approved equipment belonging to customers at this site. This facility is within the 70 mile requirement of Tarrant County
3. Martin Eagle Oil Co, Inc. is a small business with less than 50 employees. We do all phases of our business so that we can compete with the larger organizations. MEO submits bids, MEO does all administrative work, and MEO does all dispatch and delivery. MEO does not use any outside sources with the exception of emergencies where we will call a common carrier to handle an emergency or overbooking.
4. MEO has always invoiced the OPIS daily rack for the product purchased with the +/- (plus/minus) figured into the unit cost on the invoice. Tarrant County has requested the OPIS price and +/- (plus/minus) be separate line items. In discussions with OPIS we are warned this may violate OPIS policy. If that is fact MEO will invoice as they have in the past contracts , the unit price on invoice with +/- figured in and invoiced.
5. Pricing outside the four county regions (Tarrant, Collin, Denton, and Dallas). MEO will offer the +/- (plus/minus) shown in Tarrant bid plus freight from supplying terminal to destination.
6. MSDS for fuels can be found in PDF format on our Web page at [www.martineagle.com](http://www.martineagle.com)
7. All RFG Gasoline with 10% ethanol and the TxLED ULSD will use the current Dallas Metro Net OPIS report using the 10AM report for date of delivery. Exception would be ethanol summer/winter blends for product referenced E-85 fuel. There is not currently or in the past an OPIS listing for this products. Martin Eagle as in other contracts uses a market similar to the DFW market for the reference price for this item. MEO is using the OPIS 10 AM report for E-85 Oklahoma City, Oklahoma to bid E-85. The Bio-Diesel is the Dallas Net Metro report for date of delivery using the base ULS #2 LED OPIS Net SME Biodiesel Non-Tax adjusted with/out rins market index. .
8. MEO has found it to be a benefit to all parties to use the OPIS ULSD LED rack average Plus (+) \$0.0050 for the Red Dyed diesel pricing. The DFW market as with renewable fuels has limited sources and MEO in the past found the dyed diesel report not always representative of actual cost that could be costly to the agency and the vendor. MEO use the OPIS ULSD LED formula for the dyed diesel with a half cent cost for the dye.



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9. The prices are delivered and certain federal and state allowance are subject to changes that would affect the +/- margins on the products delivered. All changes in these allowances will be passed on as they occur +/- after notification to agencies on the bid.
10. Attached are an additional +/- Sheet on all products offered by MEO, List of the Federal Oil Spill Fees on gas, diesel and renewable fuels, list of LUST, List of Texas Underground fees, List of additives and Biocides that are carried by MEO for aftermarket purchase.
11. Your emergency contact is:  
Phillip Childers III  
Business Hours 8 to 5: 800-316-6148 ext 233  
940-383-2351 ext 233  
fax 940-382-9342  
e-mail [p.childers@martineagle.com](mailto:p.childers@martineagle.com)  
[p.childers@yahoo.com](mailto:p.childers@yahoo.com)  
cell 817-239-9973 (24 hr. number)  
Dispatch: Carroll Enderby or Steve Martin Jr.  
940-442-5300  
800-316-6148 ext 237 no answer or after hours please  
leave message name, entity, product, volume needed, location, size of tank

A handwritten signature in black ink that reads "Phillip Childers III".

Phillip Childers III  
VP Sales


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## Addendum Tarrant County Bid Cost That Will Be Invoiced If Applicable Split Load Charges

Fee is \$50.00 for each additional site after original on any order (s). If you have a load to single location than contains more than a single product Gas and diesel on same load) and the truck and equipment are not required to move in order to complete the drop, that is not considered a split load and the split fee would not be applicable. If the truck is required to pack and move to another location then that becomes a split drop.

### Pump Charges

Fee is \$50.00 if the pump is required to pump load of trucks

### Loads less than 3999 Gallons

Fee is \$50.00 for an order to a different location that is less than 3999 gallons.

## Taxes and Fees That are Applicable If Not Exempt

### Oil Spill Liability

The Oil Spill Liability is based on the following formula. The amount is figured on the gallons in a barrel of oil (42 Industry Standard) divided by the current Federal fee (\$.08 per barrel). \$.08 divided by 42 gals = \$.0019047619 per gallon rounded up by our system to \$.001905 for conventional gasoline and/or diesel. If you blend any percentage of renewable fuels then this figure is reduced. There is a table below with the rates for various common fuels. In 2008 our government passed an increase from \$.05 per barrel to \$.08 per barrel causing the fee to increase to \$.001905 per gallon. The Oil Companies pass it on as a separate line item.

Table:

Product	Fee Martin Eagle Invoice
Diesel	\$ .001905
Gasoline (conventional)	\$ .001905
Gasoline (10% ethanol)	\$ .001714
Gasoline (70%ethanol {winter})	\$ .000572
Gasoline (85%ethanol {summer})	\$ .000286
Biodiesel B-5	\$ .001810
Biodiesel B-10	\$ .001714
Biodiesel B-20	\$ .001524



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## **Leaking Underground Storage Tank (LUST) Trust Fund**

### **What is the LUST Trust Fund?**

Congress created the Leaking Underground Storage Tank (LUST) Trust Fund in 1986 by amending Subtitle I of the Resource Conservation and Recovery Act. The LUST Trust

Fund has two purposes. First, it provides money for overseeing and enforcing corrective action taken by a responsible party, who is the owner or operator of the leaking UST.

Second, the Trust Fund provides money for cleanups at UST sites where the owner or operator is unknown, unwilling, or unable to respond, or which require emergency action

### **What is in the Trust Fund?**

The Trust Fund is financed by a 0.1 cent tax on each gallon of motor fuel sold nationwide. The federal UST program receives approximately \$70 million each year, of which an average of greater than 80 percent (approximately \$56 million) is allocated for use in the administration, oversight, and cleanup of sites within the state and in Indian country. The remaining money has been used by EPA for negotiating and overseeing cooperative agreements, implementing programs on Indian lands, and supporting regional and state offices

### **Why a separate line Item?**

When agencies that are exempt from Federal excise taxes on fuel purchase those products the vendor then becomes the agent that pays those taxes. On gasoline the tax is \$.1830 and on diesel the tax is \$.2430. Once the tax has been paid and the Federal government approves the sale to that agency the Federal Government refunds the taxes on the fuel with the exception of \$.0010 and that is a non refundable cost of the fuel for the L.U.S.T. fund that is set aside for leaking underground tank clean up. This is a cost that is the end user responsibility. Martin Eagle had always added this cost in the Federal Tax on the fuel purchased. If the agency was exempt then it should be added as a separate line item as MEO is now doing.



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## **Petroleum Products Delivery Fee**

A fee is collected by bulk facility operators (rail, pipeline, barge, or refinery terminals) upon the withdrawal of petroleum products into cargo tanks and on petroleum products imported into Texas. The fee was reduced on September 1, 2007.

(Texas Water Code, Sec. 26.3574)

### ***Rate Details and Other Information***

**Rates Varies according to the net total gallons of all petroleum products withdrawn:**

**\$ 3.75: Less than 2,500**

**\$ 7.50: 2,500 but less than 5,000**

**\$11.75: 5,000 but less than 8,000**

**\$15.00: 8,000 but less than 10,000**

**\$ 7.50: Each 5,000 gallon increment on 10,000 gallons or more**

**For gasoline deliveries of at least 7,000 but less than 8,000 gallons (whether single product type or split load), special rules apply:**

- If the gasoline portion of the delivery is less than 7,000 gallons, the fee is \$11.75.
- If the gasoline portion of the delivery is at least 7,000 gallons, the total load is presumed to be at least 8,000 gallons and the fee is \$15.00.

H.B. 3554 (2007 Texas Legislature) reduces the petroleum products delivery fee on September 1, 2007. The fee will expire on September 1, 2011.

### **Federal Taxes**

Gasoline \$ 0.1830

Diesel \$0.2430 If exempt you will not be invoiced these taxes

### **State Taxes**

Gasoline \$0.2000

Diesel \$0.2000 If exempt you will not be invoiced these taxes

Currently the State of Texas is giving a tax discount on renewable fuels that ranges from \$0.0100 to \$0.0400 based on the percentage of biodiesel in the fuel. If your purchase is a B5 to B20 your State Tax will show the reduction on the tax line item. If at any time the fees or taxes are reduced or increased or deleted then they will be adjusted accordingly. This would also apply to certain credits that are built into the renewable fuels margin in the mark-up/down.



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Martin Eagle has for sale aftermarket products that are used by different agencies. Martin Eagle has those products that are requested as an additional treatment. Currently the additive that is being used is a complete diesel fuel treatment. MEO stocks this product in one gallon and two and half gallon containers. It claims it is a cetane improver, it improve fuel stability, cleaner engines and increase fuel and maintenance quality.

1 gal treats 3000 gals of diesel product as an additive  
2 1/2 gal treats 7500 gals of diesel product as an additive

If you are interested in treating your product with an additive then we will provided additional information on this product.

Cost is subject to mfg. price changes without notice. We also will either sell you the product in case lots or MEO will deliver the additive with product delivery. Full transport loads use the 2 1/2 gal container that treat the full delivery truck load. The one gallon is for lesser loads. Martin Eagle trucks carry only full containers we will not be responsible for exact measurement of this product. This may result in some over and under treatment if we treat the product with the load. The best method is for your different shops to pour recommended amount of additive into your fuel tanks before fuel drop.

Current retail is:

1 gallon containers \$ 52.49 per gallon treats 3000 gallons  
2 1/2 gallon containers \$ 121.49 per container treats 7500 gallons

#### Fungus and Bacteria Treatments

MEO carries products that are for killing these agents in fuels and MEO also provides a scheduled maintenance program. The maintenance program is a series of four calls where the tank is treated with the product. This treatment currently is \$125.00 per call service. It is important that the buyer keep any water found pumped out of the tank. If water has to be pumped and removed and test run on fuel by Martin Eagle for a fungus or bacteria check this will require a shock treatment that will run a Minimum \$300.00 plus any additional services provided.

We also carry a product that is an easy clean up for spills. This product comes in a 5 lb. bag, light weight that will cover a spill of 5 gallons of liquid product (oil, fuel, paints, and greases).

5lb bag cost retail \$ 19.99 per bag. Contains 5 gallon spills.



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## OIL COMPANY, INC.

### List of References:

City of Ft Worth 1000 Throckmorton Ft Worth, Tx.	Kevin Karle Purchasing kevin.karle@forthworthgov.org	817-392-8356
Dallas County 509 Main Street 6th Floor, Suite 623 Dallas, Texas 75202	Gloria McCulloch-Webb Purchasing gwebb@dallascounty.org	214-653-7431
Collin County 200 S. McDonald Street Suite 230 Mc Kinney, Tx. 75069	Wayne R. Valdepena Jr Contract Admin. wvaldepena@co.collin.tx.us	972-442-4124
Arlington, ISD 1203 W. Pioneer Pwky Arlington, Tx. 76013	Jimmy Womach Director of Transportation Sherry Ellis Purchasing	682-867-7227
City of Hurst 1505 Precient Line Rd. Hurst, Tx.	Purchasing Dept	817-788-7017
Rockwall ISD 707 S. Clark Street Rockwall, Tx	Dean Lewis Purchasing	972-771-1948
Grand Prairie ISD 2602 South Beltline Grand Prairie, Tx 75052	Darylene Hicks Phil Gurke phil.gurke@gpisd.org	972-264-6141 972-343-4403

These are cities and ISD,s we currently supply and some we are in second and third contracts with. Some have other organizations attached to their contracts. Martin Eagle Oil currently supplies in excess of 50 city, state, federal and State School ISD contracts.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/26/2010

PRODUCER (817)924-4236 FAX: (817)921-0170

Cordell & Company Insurance Agency  
P O Box 12129

Fort Worth TX 76110-8129

INSURED

Martin Eagle Oil Co. Inc.  
Southwest Petroleum Transport, Inc.  
2700 James Street  
Denton TX 76205**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.**

## INSURERS AFFORDING COVERAGE

NAIC #

INSURER A: United States Fire Ins/Fairm 21113

INSURER B: General Star Ins C/S H Smith

INSURER C: Texas Mutual Insurance 0115

INSURER D:

INSURER E:

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	5068665954	3/1/2010	3/1/2011	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				PERSONAL & ADV INJURY \$ 1,000,000
A	AUTOMOBILE LIABILITY	5068665954	3/1/2010	3/1/2011	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS				PROPERTY DAMAGE (Per accident) \$
<input checked="" type="checkbox"/> NON-OWNED AUTOS					
<input checked="" type="checkbox"/> MCS-90 Included					
<input checked="" type="checkbox"/> CA9948 Included	Pollution Liability				
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
	<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC \$
					AUTO ONLY: AGG \$
B	EXCESS / UMBRELLA LIABILITY	EUG408942A	3/1/2010	3/1/2011	EACH OCCURRENCE \$ 4,000,000
	<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE \$ 4,000,000
	<input type="checkbox"/> DEDUCTIBLE				
<input checked="" type="checkbox"/> RETENTION \$ 10,000					
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	TSF0001178317	3/1/2010	3/1/2011	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)				E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
A	OTHER Gasoline Cargo	5068665954	3/1/2010	3/1/2011	E.L. DISEASE - POLICY LIMIT \$ 1,000,000
					Limit \$50,000.
					Deductible \$2,500

## DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

TARRANT COUNTY, ITS OFFICERS, EMPLOYEES, SERVANTS AND ELECTED OFFICIALS ARE ADDITIONAL INSURED, AS THEIR INTEREST MAY APPEAR (ATIMA) ON THE GENERAL LIABILITY AND AUTOMOBILE LIABILITY. GENERAL LIABILITY AND AUTOMOBILE LIABILITY INCLUDES PRIMARY PROTECTION AND ANY SELF-FUNDED OR COMMERCIAL COVERAGE MAINTAINED BY COUNTY SHALL NOT BE CALLED UPON TO CONTRIBUTE TO LOSS RECOVERY. WAIVER OF SUBROGATION IS INCLUDED ON THE GENERAL LIABILITY, AUTOMOBILE LIABILITY &amp; WORKERS COMPENSATION.

## CERTIFICATE HOLDER

TARRANT COUNTY  
100 E. WEATHERFORD, SUITE 303  
FORT WORTH, TX 76102

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE  
Milton Cordell/GMD