



State of New Jersey

DEPARTMENT OF THE TREASURY

DIVISION OF PURCHASE AND PROPERTY

PURCHASE BUREAU

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LOCATION:
33 W. STATE STREET
TRENTON, NJ

April 21, 2006

TO: All Using Agencies & Term Contract T-0083 Vendors.

FROM: Wilma Wilt, Contract Procurement & Control Specialist

SUBJECT: Gasoline, Automotive Unleaded
Term Contract T-0083 (00-X-31848)
Contract Period: April 1, 2006 to March 31, 2009

AMENDMENT #2

As per RFP Section 4.4.5 special pricing due to unstable market conditions will be put into effect via this amendment to ensure that the State has an uninterrupted supply of gasoline and to address the economic conditions created by the current unstable market conditions. Due to gasoline prices increasing rapidly several vendors have indicated that gasoline supplies are sporadic and that the Journal of Commerce (JOC) postings are not reflective of the actual prices they have to pay when purchasing gasoline at their assigned terminals. Therefore, those affected contractors have requested relief.

As a temporary measure, if the Journal of Commerce posting is not reasonably in line with the contractor's purchase price from its assigned terminal, contractors will be permitted to add the upcharge (from their State contract) to the price shown on the supplier's invoice for the day's pickup of fuel at the terminal. This is a change from the current practice of adding the upcharge to the JOC index price. The State will be the final arbiter as to what is reasonably in line with the current JOC index pricing.

In each case, the contractor's billing for such day(s) must show **both** the total calculated pursuant to the normal JOC pricing mechanism **and** the upcharge-to-supplier-invoice pricing. The invoice from the supplier for the day(s) in question must be attached to the invoice submitted to the agency by the contractor. Contractors must submit copies of the original signed and dated pick up receipts that correspond with the supplier's invoice. Agencies are to receive Bills of Lading at the time of each delivery.

The State reserves the right to audit all bills. Contractors are to forward copies of all invoices for gasoline deliveries during this period to the Purchase Bureau to the attention of Wilma Wilt.

This will be effective for deliveries made April 17, 2006 through May 5, 2006. If the situation does not stabilize, the State may consider extending this measure. If we find, at any time that the State was overcharged by the above method, it will be the State's option to revert to the JOC based prices. The State also reserves the right to consider an alternative index pricing measure.