

**CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY**

AUSTIN, TEXAS

**CONTRACT MODIFICATION**

<b>1. CONTRACT NO:</b> 200742	<b>2. CONTRACT MODIFICATION NO.:</b> 4	<b>3. EFFECTIVE DATE OF C.M.</b> See Block 9	<b>4. CONTRACTOR NAME:</b> Colonial Oil Industries
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**5. AGREEMENT TO MODIFY CONTRACT:**

The parties hereto agree to modify the Contract identified in Block 1, above, as described in Block 10, below, pursuant to the terms and conditions of the Contract. Except as modified herein, all other provisions of the Contract (including, but not limited to, price, delivery, and completion date) remain unchanged.

**6. AMOUNT OF THIS CONTRACT MODIFICATION:** **NO CHANGE**

**7. TERM OR PERIOD OF PERFORMANCE:** **NO CHANGE**

**8. CONTRACTOR'S EXECUTION:**

Name & Title: Jay Blanton Sales Development Manager  
(Print or type)

DocuSigned by:  
Jay Blanton  
897FC58C5D244AF...

Signature: \_\_\_\_\_  
Date Executed: 10/9/2023

**9. CONTRACTING OFFICER'S EXECUTION:**

Name: Deborah Knutson, CPPB, Buyer III  
(Print or type)

Signature: \_\_\_\_\_  
Date Executed: \_\_\_\_\_

**10. DESCRIPTION OF CONTRACT MODIFICATION:**

This Contract Modification summarizes changes to Exhibit F, Scope of Services, attached hereto and made a part hereof for all pertinent purposes to modify the delivery hours for 817 Howard Lane location. This modification is in accordance with Exhibit E - Revised-3, Contractual Terms and Conditions, Section 21, CHANGES.

This is a no-cost modification.

Exhibit F, Section 5(a)(3)

817 Howard Lane, Austin, Texas 78753 – One (1) each 6,000 gallon above ground Regular Unleaded tank. No Diesel delivered at this location. The following has been removed: Deliveries to this site only shall require the use of a smaller tank wagon type fuel truck because of lack of maneuverability.

Exhibit F, Section 5 (c) has been modified to read:

Delivery hours are limited to 8:00 AM (CST) – 5:00 PM (CST) except for the delivery of Red-Dyed diesel and unleaded gasoline to 817 Howard Ln. The following has been added:

(1) The delivery of Red-Dyed diesel is limited to Monday – Friday, 7:00 AM (CST) – 2:00 PM (CST).

(2) Transport Truck deliveries to 817 Howard Ln. are limited to Monday – Sunday, 6:00 AM (CST) – 11:00 AM (CST). For deliveries to 817 Howard Ln. between 11:00 AM (CST) – 5:00 PM (CST), a tank wagon truck (also known as a Bobtail truck) shall be used.

The following has been removed: The delivery of Red-Dyed diesel is limited to Monday – Friday, 7:00 AM (CST) – 2:00 PM (CST).

This modification may be executed in multiple originals, and an executed facsimile shall have the same force and effect as an original document.

**[END OF MODIFICATION # 4]**

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**EXHIBIT F**  
**SCOPE OF SERVICES**  
**DIESEL AND REGULAR UNLEADED FUELS**

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**1. BACKGROUND**

Capital Metropolitan Transportation Authority (“Capital Metro” or “the Authority”) is a public agency responsible for providing mass transit service within the City of Austin and the surrounding communities of Leander, Lago Vista, Jonestown, Manor, San Leanna, and Point Venture, as well as the unincorporated area of Travis County within Commissioner Precinct 2 and the Anderson Mill area of Williamson County. Capital Metro services include bus, rail, ride-share programs, special event services, and special transit services for the mobility impaired.

**2. GENERAL SCOPE**

(a) The Authority is seeking to contract with an experienced Firm to provide Ultra Low Sulfur TX LED Diesel, Ultra Low Sulfur TX LED Red-Dyed Diesel and Regular Unleaded Gasoline. The Authority is an essential services provider and requires a high level of priority for fuel.

(b) This specification describes the requirement for Diesel and Regular Unleaded Fuels to be provided by the Contractor. Red-Dyed Ultra Low Sulfur Diesel shall meet all of the same requirements in this specification as Ultra Low Sulfur Diesel, except that it may be dyed red.

**3. REQUIREMENTS**

(a) All fuel shall comply with all applicable City, County, State and Federal rules or regulations.

(b) Ultra Low Sulfur TX LED Diesel when tested by the methods indicated in Section 12 below (“Table 1”), Ultra Low Sulfur TX LED Diesel shall meet or exceed the specifications in Table 1.

(c) Ultra Low Sulfur TX LED Red-Dyed Diesel when tested by the methods indicated in Table 1, Ultra Low Sulfur TX LED Red-Dyed Diesel shall meet or exceed the specifications in Table 1.

(d) Regular Unleaded Gasoline when tested by the methods indicated in Section 13 below (“Table 2”), Regular Unleaded Gasoline shall meet or exceed the specifications in Table 2.

(e) The contractor shall provide all the necessary resources needed to deliver, test, and dispense all diesel fuel.

**4. DELIVERY PROCEDURE**

(a) Upon arrival at the Authority’s facility, the contractor shall report to the Authority’s designated personnel who shall record the bill of lading number(s). The contractor shall witness the Authority performing electronic reading tests from the tank(s) to be filled. The Authority will record inches of fuel on the contractor’s bill of lading and attach a copy each of the electronic reading test printouts before and after the delivery.

(b) The contractor shall dispense a sample of Ultra Low Sulfur TX LED approved Diesel or Regular Unleaded Gasoline to detect the presence of water or contaminants. If no water or contaminants are found, the contractor shall pour the sample into the Authority’s tank and unload the trailer. The Authority will re-stick/read the tanks, to ensure the delivery has occurred per the bill of lading. If water or contaminant(s) are detected, the contractor shall not dispense the fuel.

(c) The Authority’s fuel delivery sign-off sheet shall be completed and signed by the Authority’s designated personnel and signed by the contractor. The date, bill of lading number, tank number(s) fuel was dropped in, and start time of delivery are to be filled in.

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(d) Once hoses have been removed, the contractor shall place a container under the hose outlet used to deliver the Authority's fuel and open the valve(s) to show that tank(s) are empty. Any residual fuel shall be poured carefully into the Authority's storage tank.

(e) The contractor shall clean up any fuel spills or drippings caused by the contractor's vehicle.

**5. DELIVERY LOCATIONS**

(a) Delivery shall be made to the following locations:

(1) 2910 E. 5<sup>th</sup> Street, Austin, Texas 78702

Drop - Six (6) each 20,000 gallon below ground diesel tanks

Drop - One (1) each 8,000 gallon below ground regular unleaded tank

(2) 509 Thompson Lane, Austin, Texas 78742

Drop - One (1) each 20,000 gallon below ground diesel tank

Drop - One (1) each 20,000 gallon below ground regular unleaded tank.

(3) 817 Howard Lane, Austin, Texas 78753

One (1) each 6,000 gallon above ground Regular Unleaded tank

**No Diesel delivered at this location.**

(4) 9315 Old McNeil Rd., Austin, Texas 78758

Drop - Six (6) each 20,000 gallon below ground diesel tanks

Drop - One (1) each 20,000 gallon below ground regular unleaded tank

Pump off – Two (2) each 5,000 gallon above ground tank for Ultra Low Sulfur TX LED Red-Dyed Diesel.

(b) Delivery shall be made within twenty-four (24) hours of the Authority's order issuance.

(c) **Delivery hours are limited to 8:00 AM (CST) – 5:00 PM (CST) except for the delivery of Red-Dyed diesel and unleaded gasoline to 817 Howard Ln.**

(1) **The delivery of Red-Dyed diesel is limited to Monday – Friday, 7:00 AM (CST) – 2:00 PM (CST).**

(2) **Transport Truck deliveries to 817 Howard Ln. are limited to Monday – Sunday, 6:00 AM (CST) – 11:00 AM (CST). For deliveries to 817 Howard Ln. between 11:00 AM (CST) – 5:00 PM (CST), a tank wagon truck (also known as a Bobtail truck) shall be used.**

**6. DIRECT FUELING OF TRAINS WITH ULTRA LOW SULFUR TX LED RED-DYED DIESEL**

(a) The direct fueling of trains is for emergency purposes only.

(b) The normal delivery time for red-dyed diesel is approximately one (1) hour. The direct fueling of trains is anticipated to have a delivery time of three (3) to eight (8) hours.

(c) Emergency Procedure for fueling rail cars and requirements:

(1) A straight truck will be required for emergency fueling of all rail cars. No semi-trucks.

(2) Fueling truck will require an automatic shut off system and a metering system.

(3) Fueling truck will require 75 ft. to 100 ft. fueling hose

(4) The metering system will be required to be reset between fulling of each rail car.

(5) Fueling truck will stage at fuel tank site or on #3 maintenance bay. Both sites have direct access with hard concrete surface to support fueling truck.

(6) Capital Metro railroad staff will move trains to fuel truck location.

(7) Capital Metro railroad mechanical staff will control and place hose to rail car.

(8) Railroad mechanical staff will supply adaptor for fueling truck hose to rail car tank.

(9) Delivery ticket will show net gallons to each rail car fueled and gross fuel delivered.

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**7. DISASTER AND EMERGENCY MANAGEMENT**

(a) The Authority provides essential services to the public and must be assured of a constant and consistent supply of all fuel types before, during, and in the aftermath of a disaster or emergency, including but not limited to hurricane, tornado, severe cold weather, severe hot weather, flood, pandemic, power outage, cybersecurity attack, terrorist attack, and so on.

(b) The contractor shall prioritize fuel deliveries to Capital Metro in preparation for, or in response to crisis situations. The contractor and the Authority will work together to determine the Authority fuel delivery needs and determine the appropriate schedule to meet those fuel delivery needs.

**8. DOCUMENTATION**

(a) The contractor shall provide the following documents to the Authority with each delivery:

- (1) Delivery Location
- (2) Gross and net rack gallons
- (3) Temperature of fuel when loaded at the rack
- (4) Time of trailer start loading / stop loading
- (5) Time of arrival at the Authority's facility
- (6) Meter ticket number (when used)
- (7) Top of trailer seal numbers
- (8) Gallons of fuel in the tank before and after delivery
- (9) Amount of water (if any)
- (10) Amount of water or other contaminant(s) (if any)

(b) Certification that the trailer was clean when it was loaded.

**9. ULTRA LOW SULFUR TX LED APPROVED DIESEL AND REGULAR UNLEADED GASOLINE**

The Authority shall have the right upon delivery of Diesel and Regular Unleaded Fuels at any time to determine compliance with specifications by performing tests in accordance with the methods prescribed in the specifications.

**10. QUALITY ASSURANCE**

Should Ultra Low Sulfur TX LED approved Diesel, Ultra Low Sulfur TX LED Diesel, or Regular Unleaded Gasoline be deficient, the contractor shall be responsible for removing the fuel, cleaning tanks, and all other costs associated with the deficiency, including replacing tanks with fuel that meets the specification.

**11. ACCEPTANCE**

The Diesel and Regular Unleaded Fuels will be accepted and approved by Authority designated personnel. Authority designated personnel shall be assigned at each of the delivery locations.

**12. TEST METHODS SPECIFICATIONS – ULTRA LOW SULFUR TX LED LOW EMISSION DIESEL**

<b>Table 1. Ultra Low Sulfur Low Emission Diesel Specifications (satisfies TX LED)</b>				
<b>Property</b>	<b>ASTM Test Method</b>	<b>Qualifier</b>	<b>Unit</b>	<b>Specification</b>
Sulfur Content	D2622	Maximum	Ppm	15
Cetane Number	D613	Minimum		48 or TCEQ approved fuel under the Texas LED Rule (30 TAC 114 Subchapter H Division 2)
Aromatic Hydro-carbon Content	D5186	Maximum	% volume by gallon	10 or TCEQ approved fuel under the Texas LED Rule (30 TAC 114 Chapter H Division 2)

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<b>Table 1. Continued</b>				
<b>Property</b>	<b>ASTM Test Method</b>	<b>Qualifier</b>	<b>Unit</b>	<b>Specification</b>
API Gravity @ 60 ° F	D287	Range		30 – 38
Specific Gravity @ 60 ° F	D1298	Range		.876 - .835
Flash Point	D93	Minimum	° F (° C)	125.6 (52)
Viscosity, Kinematic @ 40 ° F	D445	Range	cSt	1.9 – 4.1
Cloud Point	D2500 D975		° F (° C)	10 (6) below lowest expected fuel temperature
IBP	D86	Typical	° F (° C)	375 (191)
10%	D86	Typical	° F (° C)	430 (221)
50%	D86	Typical	° F (° C)	510 (266)
90%	D86	Maximum	° F (° C)	625 (329)
95%	D86	Maximum	° F (° C)	671 (355)
Recovered Volume	D86	Minimum	Volume %	98
Water	D2709	Maximum	Volume %	0.05
Sediment	D2709	Maximum	Volume %	0.05
Ash	D482	Maximum	Mass %	0.01
Carbon Residue on 10% residuum	D524	Maximum	Mass%	0.35
Copper Corrosion	D130	Maximum		No. 2
Accelerated Storage Stability	D2274	Maximum	mg/L	15
Dupont Pad Test Rating	TM-F21-61	TM-F21-61 maximum		7
Lubricity	D6078	Minimum	gm	3100

13. **TEST METHODS SPECIFICATIONS – REGULAR UNLEADED GASOLINE****Table 2. Fungible Conventional Regular Gasoline (87)**

<u>Specification Points:</u>	<u>Test Method:</u>	<u>Shipments:</u>					
<u>Deliveries:</u>		<u>Report</u>					
Gravity, API	D-287	A	B	C	D		
Volatility Class (2)		8.5	9.0	10.0	11.5	13.5	At or below
Pressure, psi max (3)							
Distillation	D-86						legal
limit							
10% Evap., °F max.		158	158	149	140	131	
50% Evap., °F min		170	170	170	170	170	
50% Evap., °F max		250	250	245	240	235	
90% Evap., °F max		374	374	374	365	365	
End Point, °F max		430	430	430	430	430	
437							
% max.		2	2	2	2	2	
Driveability Index (4)		1250	1250	1240	1230	1220	
Vapor Liquid Ratio of 20:1							
°F min. (5)	D-2533	133	133	124	124	116	
Gum, Existent mg/100 ml, max.	D-381				4		5
Oxidation Stability,							
Minutes, min.	D-525				240		
Octane Numbers							
Research, min.	D-2699				Report		
Motor, min	D-2700				82.0		
(R+M)/2, min.					87.0		

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Mercaptan Sulfur, % max. (7)	D-3227	0.0020
Corrosion, 3 hr @ 122 °F max.	D-130	1
Acidity	D-1093	Negative
Benzene, wt % max.	D-3606,D-4053	4.9
Sulfur, wt % max.	D-1266	0.10
Lead, g/gal., max	D-3229	0.010
0.030		
Phosphorous, g/gal.max.	D-3231	0.003
0.004		
Oxygen Content, wt %, max	D-4815	2.7
Color		Undyed
Rust Test, NACE		
Spindle Rating min.	TM-0172-86	B+
Inhibitors (9)		Report
Detergents (10)		None
Odor (11)		Non-offensive