



Invitation For Bid
 Solicitation No.
 BPM002146
 Description:
 Event Folding Tables - State Fair

Arizona Department of Administration
State Procurement Office
 100 N. 15th Ave., Suite 402
 Phoenix, AZ 85007

Part 3: Instructions to Offerors & Offer Forms

Part 3: Instructions to Offerors & Offer Forms	1
Section 3-A: Instructions to Offerors	2
Definitions of Terms	2
Solicitation Inquiries	3
Offer Preparation	3
Submission of Offer	5
Evaluation of Offers	6
Award of Contract	7
Solicitation of Award Protests	7
Comments Welcome	8
Section 3-B: Offer Forms (Attachments)	9
Attachment 1: Offer and Acceptance	9
Attachment 2: Proposed Subcontractors	10
Attachment 3: Boycott of Israel Disclosure	11
Attachment 4: Pricing Document	12
Attachment 5: Confidential Information Designation	13
Copy of A.A.C. R2-7-103 [Confidential Information] as was current at time of Solicitation issuance	14
Attachment 6: Offer Checklist	15



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Section 3-A: Instructions to Offerors

1. Definitions of Terms

- a. Arizona Procurement Code; A.R.S.; A.A.C.: "Arizona Procurement Code" means, collectively, Title 41 Chapter 23, et. sequitur, in the Arizona Revised Statutes (abbreviated "A.R.S.") and administrative rules R2 7 101 et. sequitur in the Arizona Administrative Code (abbreviated "A.A.C."). NOTE: There are frequent references to the Arizona Procurement Code throughout the Solicitation Documents, therefore, you will need to be familiar with its provisions to be able to understand the Solicitation Documents fully.
- b. The Arizona Department of Administration State Procurement Office provides a reference compilation of the Arizona Procurement Code on its website:
 - i. <https://spo.az.gov/administration-policy/state-procurement-resource/procurement-regulations>
- c. The Arizona State Legislature provides the official A.R.S. online at:
 - i. <http://www.azleg.gov/ArizonaRevisedStatutes.asp>
- b. The Office of the Arizona Secretary of State provides the official A.A.C. online at:
 - i. <http://www.azsos.gov/rules/arizona-administrative-code>
- c. Contract: "Contract" is defined in paragraph 1.b of the Uniform Terms and Conditions.
- d. Contract Amendment: "Contract Amendment" is defined in paragraph 1.c of the Uniform Terms and Conditions.
- e. Contract Terms and Conditions: "Contract Terms and Conditions" is defined in paragraph 1.h of the Special Terms and Conditions.
- f. Contractor: "Contractor" is defined in paragraph 1.d of the Uniform Terms and Conditions.
- g. Evaluation: "Evaluation" means, per A.A.C. R2-7-B312, the process whereby the Procurement Officer will determine which Responsive offers, revised offers, and best and final offers are the most advantageous to State taking into consideration the evaluation factors set forth in the Solicitation Documents.
- h. Offeror: "Offeror" is the Person submitting an Offer; instructions addressed to "you" and references to "your" items are to be construed as being synonymous with "Offeror" and "Offeror's" throughout these Instructions to Offerors.
- i. Pricing Document: "Pricing Document" means Section 2-B of the Solicitation Documents. Also known as Pricing Document as defined in the Special Terms and Conditions.
- j. APP: "APP" is defined in paragraph 1.o of the Special Terms and Conditions.
- k. Procurement Officer: "Procurement Officer" means the person, or his or her designee, who has been duly authorized by the State to administer the Solicitation and make written determinations with respect to the Solicitation. The Procurement Officer is identified in APP.
- l. Solicitation: "Solicitation" means this procurement solicitation, which State is issuing as either:
 - i. an invitation for bids ("IFB") under A.R.S. § 41 2533;
 - ii. a request for proposals ("RFP") under A.R.S. § 41 2534;
 - iii. a request for quotations ("RFQ") under A.R.S. § 41 2535; or
 - iv. a request for qualifications under A.R.S. §41-2558.
 - v. Refer to the Solicitation Summary for which of the foregoing is this Solicitation.
- m. Solicitation Amendment: "Solicitation Amendment" means, per A.A.C. R2-7-B303, a change to the Solicitation that has been issued by the Procurement Officer.
- n. Solicitation Summary: "Solicitation Summary" means Section 1 of the Solicitation Documents.
- o. State: "State" is defined in paragraph 1.k of the Uniform Terms and Conditions.
- p. Subcontract: "Subcontract" is defined in paragraph 1.m of the Uniform Terms and Conditions.
- q. Subcontractor: "Subcontractor" is defined in paragraph 1.r of the Special Terms and Conditions.



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2. Solicitation Inquiries

- a. Duty to Examine
 - i. Examine the entire Solicitation, obtain clarification in writing for any questions or concerns by submitting inquiries, then examine your Offer thoroughly and carefully for completeness and accuracy before submitting it. Lack of care in preparing an Offer will not be grounds for modifying or withdrawing it after the due date and time.
- b. Stat Contact Person
 - i. Direct all inquiries related to the Solicitation to Procurement Officer, including requests for or inquiries regarding standards referenced in the Solicitation. Apart from the APP Help Desk, do not contact any State personnel other than Procurement Officer concerning the Solicitation while it is in progress, through and including award.
- c. Submission of Inquiries
 - i. Submit all inquiries related to the Solicitation in APP; the Procurement Officer will not respond to inquiries received in any other manner.
 - 1. Submit technical inquiries about submitting proposals in APP to the APP Help Desk:
 - a. by phone at (602) 542-7600, option 1; or
 - b. by email to app@azdoa.gov.
 - 2. Submit all other inquiries about the Solicitation using the online form under the "Discussion Forum" tab for the Solicitation in APP. Always refer to the appropriate Solicitation document by page and paragraph number. Except for technical inquiries about submitting proposals, State is not responsible for responding to any inquiries submitted less than 3 (three) business days before the offer due date and time.
- d. Timeliness
 - i. Any inquiry or exception to the solicitation shall be submitted as soon as possible and should be submitted at least seven days before the Offer due date and time for review and determination by the State. Failure to do so may result in the inquiry not being considered for a Solicitation Amendment.
- e. Verbal or Email Responses
 - i. An Offeror shall not rely on verbal or email responses to inquiries. A verbal or email reply to an inquiry does not constitute a modification of the solicitation.
- f. Solicitation Amendments
 - i. Only a Solicitation Amendment issued in APP can change the Solicitation.
- g. Pre-Offer Conference
 - i. A Pre-Offer Conference will **NOT** be held.
- h. Persons with Disabilities
 - i. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Procurement Officer. Requests shall be made as early as possible to allow time to arrange the accommodation.

3. Offer Preparation

- a. Online Documents
 - i. The Solicitation Documents are only provided online in APP; State will not provide any printed copies or other formats.



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- b. Electronic Submissions
 - i. When submitting an Offer, only include files that are Microsoft Word documents, Excel workbooks, or PowerPoint presentations and Adobe Acrobat documents. Obtain advance approval before submitting files in any other format.
- c. Deviations in Offer
 - i. When submitting an Offer, flag clearly any deviations from the Specifications or other Solicitation technical requirements documents. Any un-flagged deviation will be deemed void upon submission.
 - ii. NOTE: Deviations are technical exceptions of a significant but not material nature, typically having to do with part/model numbers, details of attachments, mountings, clearances, internal configurations, etc..
- d. Evidence of Intent
 - i. Every one of your Offers must contain Attachment 1 "Offer and Acceptance Form" with a signature by your duly authorized officer, executive, principal, or agent. The signature will be deemed to signify your intent to be bound by that Offer and the terms of the Solicitation, and your representation that the information you have provided in that Offer is true and accurate.
- e. Exceptions to Terms and Conditions
 - i. All exceptions included with the Offer shall be submitted in the State's eProcurement System in a clearly identified separate section of the Offer in which the Offeror clearly identifies the specific paragraphs of the Solicitation where the exceptions occur. Any exceptions not included in such a section shall be without force and effect in any resulting Contract unless such exception is specifically accepted by the Procurement Officer in a written statement. The Offeror's preprinted or standard terms will not be considered by the State as a part of any resulting Contract.
 - 1. Invitation for Bids
 - a. An Offer that takes exception to a material requirement of any part of the Solicitation, including terms and conditions, shall be rejected.
- f. Identification of Taxes in Offer
 - i. State is subject to Arizona Transaction Privilege Tax as well as certain local sales/use taxes, as described in the Contract Terms and Conditions.
- g. Excise Tax
 - i. State is exempt from certain federal excise tax on manufactured goods; State will provide the necessary exemption certificates as evidence to the extent exemption applies to the Work.
- h. Tax Identification
 - i. You must provide to State your federal employer identification number or social security number for the purposes of reporting monies paid under the Contract to appropriate taxing authorities. The submission is mandatory under 26 U.S.C. § 6041A. If the identifier provided is a social security number, State shall only use it for tax reporting purposes and only share it with appropriate government officials.
- i. Disclosure
 - i. If you are submitting an Offer despite having been debarred, suspended or otherwise lawfully precluded from participating in any public procurement activity, including being disapproved as a subcontractor with any federal, state or local government, or if any such preclusion from participation from any public procurement activity is currently pending, then you must provide with that Offer the name and address of the governmental unit, the effective date, duration, and circumstances of the suspension, debarment, or other preclusion, and your justification for State to consider the Offer despite the suspension, debarment, or other preclusion. Include in your disclosure any suspension, debarment, or other preclusion that is pending, but indicate that it is pending.
- j. Federal Immigration Laws



Invitation For Bid
Solicitation No.
BPM002146
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Event Folding Tables - State Fair

Arizona Department of Administration
State Procurement Office
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- i. By signing an Offer, you will be deemed to have represented that both you and all your proposed subcontractors are in compliance with federal immigration laws and regulations relating to the immigration status of their personnel. State may, at its discretion, demand evidence of compliance during Evaluation, which you must provide promptly.
- k. Cost of Offer Preparation
 - i. State will not reimburse to you or any of your prospective subcontractors, suppliers, or consultants any costs associated with responding to the Solicitation.
- l. Offshore Performance of Work Prohibited
 - i. Any services that are described in the specifications or scope of work that directly serve the State of Arizona or its clients and involve access to secure or sensitive data or personal client data shall be performed within the defined territories of the United States. Unless specifically stated otherwise in the specifications, this paragraph does not apply to indirect or 'overhead' services, redundant backup services or services that are incidental to the performance of the contract. This provision applies to work performed by subcontractors at all tiers. Offerors shall declare all anticipated offshore services in the proposal.

4. Submission of Offer

- a. Required Offer Content
 - i. Submit all of the Initial Offer content called for in Section 6: Offer Forms (Attachments).
- b. Submission
 - i. Submit each Offer online in APP at <https://app.az.gov> before the "Bid Due Date" indicated for the "Solicitation No." at the top of these Instructions to Offerors. State will not consider a bid submitted by any other method other than APP, and it will be deemed void upon submission. By A.A.C. R2-7-B307, State will not consider late offers. State will give no extension or grace period for delays or incomplete proposals caused by internet connectivity problems, file uploading difficulties, or misunderstanding of the requirements or procedures for online submission in APP. If your proposal is not submitted correctly, completely, and in conformance to these Instructions herein, then the Procurement Officer may determine it Not Susceptible for Award.
 - ii. NOTE: Using APP requires a certain level of technical competency; select your staff to submit proposals and handle other Solicitation general matters in APP carefully, since the APP Help Desk cannot do any of the required actions for you. For your reference below is a link to APP Vendor Information where you can also locate a Quick Reference Guide - Submitting an Offer.
 - 1. https://spo.az.gov/sites/default/files/media/S2P_S2C.Submitting%20an%20Offer.QRG%20FINAL_0.pdf
- c. Solicitation Amendments
 - i. A Solicitation Amendment shall be acknowledged in the State's eProcurement system no later than the Offer due date and time. Failure to acknowledge a Solicitation Amendment may result in rejection of the Offer.
- d. Amending or Withdrawing
 - i. You cannot amend or withdraw a submitted proposal after the offer due date and time unless expressly permitted under applicable law.
- e. Confidential Information
 - i. If you believe that a portion of your Offer (or a protest or other correspondence) contains a trade secret or other manner of your proprietary information, you must:
 - 1. Indicate on Attachment 5 [Designation of Confidential Information] that your proposal contains such claimed confidential information; and



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- 2. Designate clearly throughout the Offer each instance of that trade secret or other proprietary information in the other portions of your proposal using the term "confidential."
 - ii. Simply indicating that the bid contains confidential information is not sufficient to claim the protections under A.A.C. R2-7-103 – Attachment 5 must be accompanied by a detailed explanation as to why each item or category of items in the proposal should be designated confidential information.
 - iii. Procurement Officer shall review your claim of confidentiality and provide a written determination; until a written determination has been made, Procurement Officer shall not disclose the claimed information to anyone who does not have a legitimate State interest. If Procurement Officer denies the claim of confidentiality, you may appeal the determination to the State Procurement Administrator within the time specified in the determination.
 - iv. NOTE: Contract terms and conditions, pricing, and information generally available to the public are not and will not be designated confidential information.
- f. Public Record
 - i. Once submitted and opened by Procurement Officer, your Offer is a public record and must be retained by State for 6 (six) years. All offers will be available for public inspection in APP after the resulting contracts have been awarded, except for any portions that were determined to be confidential information.
 - ii. Procurement Officer shall make the names of Persons who submitted offers available in APP promptly after the opening date.
- g. Offeror Certification
 - i. By signing the Offer and Acceptance Form (or other official contract form specified by Procurement Officer), you will be deemed to have certified that:
 - 1. you did not engage in collusion or other anti-competitive practices in connection with the preparation or submission of your Offer; and
 - 2. you do not discriminate against any employee or applicant for employment or person to whom you provide services because of race, color, religion, sex, national origin, or disability, and that you comply with an applicable federal, state, and local laws and executive orders regarding employment.

5. Evaluation of Offers

- a. In accordance with the Arizona Procurement Code §41-2533, competitive sealed bidding, awards shall be made to the lowest responsible and responsive bidder(s) whose bid conforms in all material respects to the requirements and criteria set forth in the solicitation.
- b. Unit Price Prevails
 - i. In the case of discrepancy between the unit price or rate and the extension of that unit price or rate, the unit price or rate shall govern.
- c. Taxes
 - i. If the products and/or services specified require transaction privilege or use taxes, they shall be described and itemized separately on the Offer. Arizona transaction privilege and use taxes shall not be considered for evaluation.
- d. Prompt Payment Discount
 - i. Prompt payment discounts thirty (30) days or more set forth in an Offer shall be deducted from the Offer for the purpose of evaluating that price.
- e. Late Offers
 - i. An Offer submitted after the exact Offer due date and time shall be rejected.



Invitation For Bid
 Solicitation No.
 BPM002146
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 Event Folding Tables - State Fair

Arizona Department of Administration
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- f. Disqualifications
 - i. An Offeror (including each of its principles) who is currently debarred, suspended or otherwise lawfully prohibited from any public procurement activity shall have its Offer rejected.
- g. Offer Acceptance Period
 - i. An Offeror submitting an Offer under the Solicitation shall hold its Offer open for the number of days from the Offer due date that is stated in APP. If the Solicitation does not specifically state a number of days for Offer acceptance, they number of days shall be one hundred twenty (120).
- h. Waiver and Rejection Rights
 - i. Notwithstanding any other provision of the Solicitation, the State reserves the right to:
 - 1. Waive any minor informality;
 - 2. Reject any and all Offers or portions thereof; or
 - 3. Cancel the Solicitation.
- i. Boycott of Israel Disclosure
 - i. If Contractor is a Company as defined in A.R.S. §35-393, Contractor warrants it is not currently engaged in a boycott of Israel as described A.R.S. §§ 35-393 *et seq.* and will refrain from any such boycott for the duration of this Contract.

6. Award of Contract

- a. Award of a contract will be made to the most responsive and responsible Bidder whose bid is determined to be the most advantageous to the State based on the requirements set forth in the Solicitation.
- b. Number of Types of Awards
 - i. The State reserves the right to make multiple awards or to award a Contract by individual line items or alternatives, by group of line items or alternatives, or to make an aggregate award, or regional awards, whichever is most advantageous to the State.
- c. Contract Inception
 - i. An Offer does not constitute a Contract nor does it confer any rights on the Offeror to the award of a Contract. A Contract is not created until the Offer is accepted in writing by the Procurement Officer's signature on the Offer and Acceptance form. A notice of award or of the intent to award shall not constitute acceptance of the Offer.
- d. Effective Date
 - i. The effective date of the Contract shall be the date that the Procurement Officer signs the Offer and Acceptance form or other official contract for, unless another date is specifically state in the Contract.

7. Solicitation of Award Protests

- a. Any protest must comply with and be resolved according to Arizona Revised Statutes Title 41, Chapter 23, Article 9, and rules adopted thereunder. Protests must be in writing and be filed with both Procurement Officer and the State Procurement Administrator. Protest of the Solicitation must be received before the offer due date and time. Protest of a proposed award or of an award must be received within 10 (ten) days after Procurement Officer makes the procurement file available for public inspection. In either case, the protest must include:
 - i. the name, address, email address and telephone number of the interested party;
 - ii. signature of the interested party or its representative;
 - iii. identification of the purchasing agency and the solicitation or contract number;



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Arizona Department of Administration
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Phoenix, AZ 85007

- iv. a detailed statement of the legal and factual grounds of the protest including copies of relevant documents;
and
- v. the form of relief being requested.

8. Comments Welcome

- a. SEPARATELY AND APART FROM THIS SOLICITATION, The State Procurement Office periodically reviews these Instructions to Offerors and welcomes any comments the public may have.
 - i. Please submit your comments to:
 - 1. State Procurement Administrator, State Procurement Office, 100 North 15th Avenue, Suite 402
Phoenix, Arizona, 85007

End of Section 3-A



Invitation For Bid
 Solicitation No.
 BPM002146
 Description:
 Event Folding Tables - State Fair

Arizona Department of Administration
State Procurement Office
 100 N. 15th Ave., Suite 402
 Phoenix, AZ 85007

Section 3-B: Offer Forms (Attachments)

Attachment 1: Offer and Acceptance

Submission of Offer: Undersigned hereby offers and agrees to provide Event Folding Tables in compliance with the Solicitation indicated above and our Offer indicated by the latest dated version below:

Initial Offer	1.								
		Date	Initial						
Revised Offers:	2.	N/A	N/A	3.	N/A	N/A	4.	N/A	N/A
		Date	Initial		Date	Initial		Date	Initial
	5.	N/A	N/A	6.	N/A	N/A	7.	N/A	N/A
		Date	Initial		Date	Initial		Date	Initial
Best and Final Offer:	8.	N/A	N/A						
		Date	Initial						

Offeror Company Name	Signature of Person Authorized to Sign Offer	
Address	Printed Name and Title	
City, State, Zip	Contract Name and Title	
Federal Tax Identifier (EIN or SSN)	Contract E-Mail Address	Contact Phone Number

CERTIFICATION: By signature in the above, Offeror certifies that it:

- will not discriminate against any employee or applicant for employment in violation of Federal Executive Order 11246, [Arizona] State Executive Order 2009-9 or A.R.S. §§ 41-1461 through 1465;
- has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted offer. Failure to provide a valid signature affirming the stipulations required by this clause will result in rejection of the Offer. Signing the Offer with a false statement will void the Offer, any resulting contract, and may be subject to legal penalties under law;
- complies with A.R.S. § 41-3532 when offering electronics or information technology products, services, or maintenance; and
- is not debarred from, or otherwise prohibited from participating in any contract awarded by federal, state, or local government.

ACCEPTANCE OF OFFER: State hereby accepts the initial Offer, Revised Offer, or Best and Final Offer identified by number at the top of this form. Offeror is now bound (as Contractor) to carry out the Work under the attached Contract, of which the Accepted Offer forms a part. Contractor is cautioned not to commence any billable work or provide any material or perform any service under the Contract until Contractor receives the applicable Order or written notice to proceed from Procurement Officer.

Contract Number: _____ **Contract Effective Date:** _____ **Contract Awarded Date:** _____

Procurement Officer Signature: _____ **Procurement Officer:** Jennifer Wenger



Invitation For Bid
Solicitation No.
BPM002146
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Event Folding Tables - State Fair

Arizona Department of Administration
State Procurement Office
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Phoenix, AZ 85007

Attachment 2: Proposed Subcontractors

Check "NO" if you WILL NOT subcontract any portion of the Work and will therefore be carrying out all of the Work with your own personnel.

	NO, the Offeror will not subcontract any portion of the Work.
--	---

If you WILL subcontract any portion of the Work, check "YES" below and list name of persons or companies you propose to use as subcontractors.

1. Fill in the information for every significant subcontractor – indicate the type of work the subcontractor will perform under the Contract, and their approximate percentage of the total Contract work.
2. Provide description of quality assurance methods and quality control measures that you will use to ensure that Subcontractor work meets the Contract requirements.
3. State may demand additional information about proposed subcontractors as a precondition of award.

	YES, the Offeror will use the Subcontractors listed below:
--	--

	Name and Contact Information	Small Business (Yes or No)	Work to be performed?	% of Project
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

End of Attachment 2



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Solicitation No.
BPM002146
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Event Folding Tables - State Fair

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State Procurement Office
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Phoenix, AZ 85007

Attachment 3: Boycott of Israel Disclosure

Please note that if any of the following apply to this Solicitation, Contract, or Contractor, then the Offeror shall select the "Exempt Solicitation, Contract, or Contractor" option below:

- The Solicitation or Contract has an estimated value of less than \$100,000;
- Contractor is a sole proprietorship;
- Contractor has fewer than ten (10) employees; OR
- Contractor is a non-profit organization.

Pursuant to A.R.S. §35-393.01, public entities are prohibited from entering into contracts "unless the contract includes a written certification that the company is not currently engaged in, and agrees for the duration of the contract to not engage in, a boycott of goods or services from Israel."

Under A.R.S. §35-393:

1. "Boycott" means engaging in a refusal to deal, terminating business activities or performing other actions that are intended to limit commercial relations with entities doing business in Israel or in territories controlled by Israel, if those actions are taken either:
 - (a) Based in part on the fact that the entity does business in Israel or in territories controlled by Israel.
 - (b) In a manner that discriminates on the basis of nationality, national origin or religion and that is not based on a valid business reason.
2. "Company" means an organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company or other entity or business association, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate, that engages in for-profit activity and that has ten or more full-time employees.
- ...
5. "Public entity" means this State, a political subdivision of this State or an agency, board, commission or department of this State or a political subdivision of this State.

The certification below does not include boycotts prohibited by 50 United States Code Section 4842 or a regulation issued pursuant to that section. See A.R.S. §35-393.03.

In compliance with A.R.S. §§35-393 et seq., all offerors must select one of the following:

<input type="checkbox"/>	The Company submitting this Offer does not participate in, and agrees not to participate in during the term of the contract, a boycott of Israel in accordance with A.R.S. §§35-393 et seq. I understand that my entire response will become public record in accordance with A.A.C. R2-7-C317.
<input type="checkbox"/>	The Company submitting this Offer does participate in a boycott of Israel as described in A.R.S. §§35-393 et seq.
<input type="checkbox"/>	Exempt Solicitation, Contract, or Contractor. Indicate which of the following statements applies to this Contract:

<input type="checkbox"/>	Solicitation or Contract has an estimated value of less than \$100,000;
<input type="checkbox"/>	Contractor is a sole proprietorship;
<input type="checkbox"/>	Contractor has fewer than ten (10) employees; and/or
<input type="checkbox"/>	Contractor is a non-profit organization.

<input type="text"/>	<input type="text"/>
Offeror Company Name	Signature
<input type="text"/>	<input type="text"/>
Address	Printed Name
<input type="text"/>	<input type="text"/>
City, State, Zip	Title

End of Attachment 3



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Attachment 4: Pricing Document

Item in APP - Offeror shall enter a one (1) in the unit cost field of line item 1 within APP, as a zero or leaving this field blank will result in a No Bid within the System.

Instructions - Please complete the fields below. Ensure pricing is provided based on the specified unit of measure.

Event Folding Tables

Description		Quantities 1-25 (Each)	Quantities 26-50 (Each)	Quantities 51-100 (Each)	Quantities 101+ (Each)
1.	96-inch Round Folding Table				
2.	72-inch Round Folding Table				
3.	33-inch Round High Top Folding Table				
4.	40-inch Round High Top Folding Table				
5.	96-inch Rectangular Banquet Folding Table				
6.	96-inch Rectangular Schoolie Folding Table				
7.	96-inch Folding Picnic Table				
8.	34-inch Square Folding Table				



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 Solicitation No.
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 Event Folding Tables - State Fair

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 Phoenix, AZ 85007

Attachment 5: Confidential Information Designation

All materials submitted as part of a response to a solicitation are subject to Arizona public records law and will be disclosed if there is an appropriate public records request at the time of or after the award of the contract. Recognizing there may be materials included in a solicitation response that are proprietary or a trade secret, a process is set out in A.A.C. R2-7-103 (copy attached) that will allow qualifying materials to be designated as confidential and excluded from disclosure. For purposes of this process the definition of "trade secret" will be the same as that set out in A.A.C. R2-7-101(52). Complete this form return it with your Offer along with the appropriate supporting information to assist State in making its determination as to whether any of the materials submitted as part of your Offer should be designated confidential because the material is proprietary or a trade secret and therefore not subject to disclosure.

STATE WILL NOT CONSIDER ANY MATERIAL IN YOUR OFFER "CONFIDENTIAL" UNLESS DESIGNATED ON THIS FORM.

Check one of the following – if neither is checked, State will assume that as equivalent to "DOES NOT":

	This response DOES NOT contain proprietary or trade secret information. I understand that my entire response will become public record in accordance with A.A.C. R2-7-C317.
	This response DOES contain trade secret information because it contains information that: <ol style="list-style-type: none"> 1. Is a formula, pattern, compilation, program, device, method, technique or process, AND 2. Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; AND 3. Is the subject of efforts by myself or my organization that are reasonable under the circumstances to maintain its secrecy.

NOTE: Failure to attach an explanation may result in a determination that the information does not meet the statutory trade secret definition. All information that does not meet the definition of trade secret as defined by A.A.C. R2-7-101(52) will become public in accordance with A.A.C. R2-7-C317. State may make its own determination on materials in accordance with A.A.C. R2-7-103.

If State agrees with Offeror's designation of trade secret or confidentiality and the determination is challenged, the undersigned hereby agrees to cooperate and support the defense of the determination with all interested parties, including legal counsel or other necessary assistance. By submitting this response, Offeror agrees that the entire Offer, including confidential, trade secret and proprietary information may be shared with an evaluation committee and technical advisors during the evaluation process. Offeror agrees to indemnify and hold State, its agents and employees, harmless from any claims or causes of action relating to State's withholding of information based upon reliance on the above representations, including the payment of all costs and attorney fees incurred by State in defending such an action.

Offeror Company Name	Signature
Address	Printed Name
City, State, Zip	Title

End of Attachment 5



Invitation For Bid
 Solicitation No.
 BPM002146
 Description:
 Event Folding Tables - State Fair

Arizona Department of Administration
State Procurement Office
 100 N. 15th Ave., Suite 402
 Phoenix, AZ 85007

Copy of A.A.C. R2-7-103 [Confidential Information] as was current at time of Solicitation issuance

PROVIDED FOR REFERENCE ONLY

- A. *If a person wants to assert that a person's offer, specification, or protest contains a trade secret or other proprietary information, a person shall include with the submission a statement supporting this assertion. A person shall clearly designate any trade secret and other proprietary information, using the term "confidential". Contract terms and conditions, pricing, and information generally available to the public are not considered confidential information under this Section.*
- B. *Until a final determination is made under subsection (C), an agency chief procurement officer shall not disclose information designated as confidential under subsection (A) except to those individuals deemed by an agency chief procurement officer to have a legitimate state interest.*
- C. *Upon receipt of a submission, an agency chief procurement officer shall make one of the following written determinations:*
 - a. *The designated information is confidential and the agency chief procurement officer shall not disclose the information except to those individuals deemed by the agency chief procurement officer to have a legitimate state interest;*
 - b. *The designated information is not confidential; or*
 - c. *Additional information is required before a final confidentiality determination can be made.*
- D. *If an agency chief procurement officer determines that information submitted is not confidential, a person who made the submission shall be notified in writing. The notice shall include a time period for requesting a review of the determination by the state procurement administrator.*
- E. *An agency chief procurement officer may release information designated as confidential under subsection (A) if:*
 - a. *A request for review is not received by the state procurement administrator within the time period specified in the notice; or*
 - b. *The state procurement administrator, after review, makes a written determination that the designated information is not confidential.*



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Attachment 6: Offer Checklist

State may determine your proposal is non-responsive if you do not submit all attachments.

	Document	Submitted (Yes or No)
1.	Attachment 1: Offer and Acceptance Form	<input type="checkbox"/> Yes <input type="checkbox"/> No
6.	Attachment 2: Proposed Subcontractors	<input type="checkbox"/> Yes <input type="checkbox"/> No
8.	Attachment 3: Boycott of Israel Disclosure	<input type="checkbox"/> Yes <input type="checkbox"/> No
9.	Attachment 4: Pricing Document	<input type="checkbox"/> Yes <input type="checkbox"/> No
10.	Attachment 5: Confidential Information Designation	<input type="checkbox"/> Yes <input type="checkbox"/> No
13.	Attachment 6: Offer Checklist	<input type="checkbox"/> Yes <input type="checkbox"/> No

End of Attachment 6

End of Part 3