

Request For Quotation - Non-IT Goods

CDCR Solicitation Information (to be completed by State agency only)		
Requestor: _____ Email: _____ Phone: _____	Shipping Address: _____ _____ _____	Solicitation Number: _____ RFQ Release Date: _____ Quote Response Due Date: _____

Responses must be delivered via email to requestor listed above on or before 2:00 p.m. on the quote due date

Delivery is required to be completed within _____ calendar days after receipt of order (ARO)

METHOD OF AWARD: The lowest responsive and responsible bidder meeting all administrative and technical requirements, terms, and conditions of this solicitation will be awarded. For the purposes of this solicitation, requested items shall be awarded based on the option selected below:

Award will be made on the basis of "All or None."

Award will be made on the basis of individual items. The State may accept any single line item or combination of line items as specified in this solicitation.

FREE ON BOARD (F.O.B.): For the purposes of this solicitation, only bid responses quoting F.O.B Destination to the ordering organization's receiving point will be accepted. Responsibility and liability for loss or damage for all orders shall remain with the contractor until final inspection and acceptance, when all responsibility shall pass to the ordering organization, except the responsibility for latent defects, fraud, and any warranty obligations. Acceptable freight payment terms shall be defined based on the selected option below:

Only bids offering Freight Prepaid by the contractor will be accepted.

Bids offering either Freight Prepaid/ADD or Freight Prepaid by the contractor will be accepted.

Signature _____	Date: _____
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Vendor Information		
Business Name: _____ Contact Name: _____ Email: _____ Phone: _____ Fax: _____	Business Address: _____ _____ _____	*CA Seller's Permit Number: _____ Federal Employer Identification (FEIN) #: _____

SB/MB/DVBE Certification #: _____ Expiration Date: _____	Are you claiming preference as a small business: Yes No Are you the manufacturer: Yes No Are you a non-small business claiming at least 25% small business subcontractor preference: Yes No
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Discount Payment Offer: _____% cash discount for payment within _____ days. **See required payment date in the General Provisions Paragraph 30.**

Signature _____	Date: _____
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Supplier/Bidder offers and agrees if this response is accepted within 45 calendar days following the date the response is due to furnish all the items upon which prices are quoted, at the prices set opposite each item, delivered at the designated point(s) by the method of delivery and within the times specified and subject to the attached General Provisions. DECLARATIONS UNDER PENALTY OF PERJURY: By signing above, with inclusion of the date of signature, the above signed bidder **DECLARES UNDER PENALTY OF PERJURY** under the laws of the State of California as follows: (1) **STATEMENT OF COMPLIANCE-** The above signed as complied with the non-discrimination program requirements of Government Code 12990 and Title 2, California Administrative Code Section 8103, and such declaration is true and correct. (2) The National Labor Relations Board declaration set forth in Paragraph 48 of the General Provisions is true and correct. (3) If a claim is made for the Small Business or Disabled Veterans Business preference, the information set forth within is true and correct.

DELIVERY: Final delivery, inspection and acceptance shall be at the location(s) described herein.

CASH DISCOUNTS: Cash discounts may be offered but *will not be considered when evaluating quote responses for award purposes*. Discount offered must be at least one percent and a minimum of \$50.00.

PRICES: Pricing shall be all inclusive. Only the price/charges submitted in the quote response shall be accepted and included in the awarded purchase order.

SUBSTITUTIONS: Substitution for like items may be accepted only if the requested item is not available and the substitution item is identical to the original request.

BIDDERS DECLARATION (GSPD-05-105): All suppliers must complete the Bidder Declaration GSPD-05-105 and include it with the quote response. When completing the declaration, suppliers must identify all subcontractors proposed for participation in the contract; this includes equipment manufacturers, equipment distributors and resellers. *A subcontractor is any person, firm, corporation, or organization contracting to perform any part of the prime's contract.* Suppliers awarded a contract are contractually obligated to use the subcontractors for the corresponding work identified unless the State agrees to a substitution and it is incorporated by amendment to the contract. All certified small businesses and/or DVBE's must perform a "commercially useful function" in the performance of the contract as defined in Government Code Section 14837 (d)(4).

DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) PROGRAM REQUIREMENTS: The State has established goals for DVBE participation in State contracts. The intent of the DVBE participation requirement and incentive is to encourage DVBE certified suppliers to participate in bidding opportunities, and to encourage firms to seek and include DVBE's as sub-contractors.

For the purposes of this solicitation the department elects to waive the DVBE Program Requirements, but opts to include the DVBE Incentive. This solicitation does not include a required minimum DVBE participation percentage.

DVBE INCENTIVE: A DVBE incentive will be given to bidders who provide DVBE participation. For evaluation purposes only, the State shall apply a DVBE bid incentive to bids that propose a California certified DVBE participation as identified on the Bidder Declaration, GSPD-05-105, and confirmed by the State. The DVBE incentive amount for awards based on low price will vary in conjunction with the percentage of DVBE participation. The California DVBE Bid Incentive Instructions (09/03/09) includes information about the DVBE incentive and can be located at www.documents.dgs.ca.gov/pd/poliproc/MASTER-DVBEIncentivePkg.pdf.

The following percentage will apply to this solicitation:

Confirmed DVBE Participation of:	DVBE Incentive:
5% or over	5%
4% to 4.99%	4%
3% to 3.99%	3%
2% to 2.99%	2%
1% to 1.99%	1%

DISABLED VETERAN BUSINESS ENTERPRISE DECLARATIONS (DVBE) (STD 843): Per the Military and Veterans Code Section 999.2, this form must be completed and signed by all disabled veteran owner(s) and disabled veteran manager(s) when a DVBE contractor or subcontractor will provide materials, supplies, services or equipment. The completed form should be included with the quote response. Should the form not be included with the Request for Quote, contact the state contracting official or obtain a copy from the Department of General Services, Procurement Division, Office of Small Business and DVBE Services (OSDS) website at: <http://www.dgs.ca.gov/pd/programs/osds.aspx>.

SMALL BUSINESS/DVBE CERTIFICATION: Suppliers claiming preferences/incentives must provide their California SB/MB/DVBE certification number. Completed certification applications and required support documents must be submitted to the Office of Small Business and DVBE Services (OSDS) no later than 5:00 p.m. on the quote due date, and the OSDS must be able to approve the application as submitted. SB/ Nonprofit Veteran Service Agencies (NVSA's) must possess certification by California prior to the day and time quotes are due. Certification applications are available at the Office of Small Business and DVBE Services (OSDS). See link at www.pd.dgs.ca.gov/smbus. Questions regarding certification should be directed to the OSDS at (916) 375-4940.

SMALL BUSINESS PREFERENCE: Section 14838 et seq. of the California Government Code requires that a 5% preference be given to bidders who qualify as a small business. If applicable, claim the preference in the box on the right hand side of the first page of this solicitation.

NON-SMALL BUSINESS SUBCONTRACTOR PREFERENCE: A 5% preference is available to a non-small business claiming 25% California certified small business subcontractor participation. If applicable, claim the preference in the box on the right hand side of the first page of this solicitation.

SMALL BUSINESS NONPROFIT VETERAN SERVICE AGENCIES (SB/NVSA): SB/NVSA prime bidders meeting requirements specified in the Military and Veterans Code Section 999.50 et seq. and obtaining a California certification as a small business are eligible for the 5% small business preference. If applicable, claim the preference in the box on the right hand side of the first page of this solicitation.

RECYCLED CONTENT PRODUCTS: State agencies are required to report purchases in many product categories. In order to comply with those requirements, suppliers are required to complete and return the attached Postconsumer Recycled-Content Certification form (CIWMB 74) with their quote response. Failure to complete and return the form may disqualify your bid from consideration. More information is located at: <http://www.calrecycle.ca.gov/BuyRecycled/StateAgency/>.

CHANGE ORDERS: Any purchase order resulting from this quote may be amended, modified, or terminated at any time by mutual agreement of the parties in writing. Change orders amending, modifying, or terminating the purchase order, including modifications of compensation payable, may be issued only by the State Procurement Officer. All such change orders shall be in writing and issued only upon written concurrence of the supplier.

NEW EQUIPMENT: All equipment to be provided in response to a State of California solicitation shall be new and latest model in current production. **USED, SHOPWORN, DEMONSTRATOR, PROTOTYPE OR DISCONTINUED MODELS ARE NOT ACCEPTABLE.**

PAYEE DATA RECORD: The successful bidder may be required to submit a Payee Data Record, STD. 204, and CDCR Supplement Vendor Payee Data form listing their Taxpayer Identification Number (if currently not on file with CDCR or if there are business information updates).

PROHIBITION ON TAX DELINQUENTS: Persons or companies identified as the largest tax delinquents by the Franchise Tax Board (FTB) or the Board of Equalization (BOE) under authority of Sections 7063 or 19195 of the Revenue and Taxation Code, shall be disqualified from the bidding process. PCC §10295.4. Contractors included on tax delinquency lists; contracts void and unenforceable; (a) Notwithstanding any other law, a state agency shall not enter into any contract for the acquisition of goods or services with a contractor whose name appears on either list of the 500 largest tax delinquencies pursuant to Section 7063 or 19195 of the Revenue and Taxation Code. Any contract entered into in violation of this subdivision is void and unenforceable. (b) This section shall apply to any contract executed on or after July 1, 2012.

LOSS LEADER: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in § 17030 of the Business and Professions Code. A "loss leader" is any article or product sold at less than cost: (a) where the purpose is to induce, promote, or encourage the purchase of other merchandise; or (b) where the effect is a tendency or capacity to mislead or deceive purchasers or prospective purchasers; or (c) where the effect is to divert trade from or otherwise injure competitors.

DARFUR CONTRACTING ACT: All bidders will be required to submit a completed DARFUR Contracting Act Certification Form. Effective January 1, 2009, CDCR generally cannot contract with "scrutinized" companies that do business in the African nation of Sudan, as described in PCC §§ 10475 -10478. A company that currently has (or within the previous three years has had) business activities or other operations outside of the United States must certify that it is not a "scrutinized" company when it submits a bid or proposal to CDCR. A scrutinized company may still submit a bid or proposal for a contract with CDCR if the company first obtains permission from the DGS.

***SELLER'S PERMIT:** If applicable, award will be conditional on providing the following information/document prior to You must provide your company's California retailer's seller's permit or certification of registration and, if applicable, the permit certification of all participating affiliates, issued by California's State Board of Equalization (BOE), pursuant to all requirements as set forth in §§ 6487, 7101 and sections 6452.1, 6487.3, 18510 of the Revenue and Taxation Code, and Section 10295.1 of the Public Contract code. In order to expedite the process of verifying the validity of the permit, provide the BOE seller's permit number (on page 1) or attach a copy of the permit with your quote.

TOBACCO-FREE ENVIRONMENT: Pursuant to Penal Code § 5030.1, the use of tobacco products by any person on the grounds of an institution or facility under the jurisdiction of CDCR is prohibited.

RESPONSIVE BID: A bid that clearly substantiates compliance, without material deviation, with all specifications, requirements, and the terms and conditions of the solicitation. If a bidder has been determined to be non-responsive, the bid shall be rejected.

RESPONSIBLE BIDDER: The Department of Corrections and Rehabilitation (CDCR) may require bidder(s) to submit evidence of their qualifications at such times and under conditions, as it may deem necessary. If a bidder has been determined to be non-responsible, the bid shall be rejected.

BID EVALUATION – TIE BETWEEN BIDDERS - OBS Request for Quotation documents for competitive solicitations shall include a tie breaker indicating how the contract award will be made in the event of a tie. Examples of permissible tiebreakers are a coin toss or other similar objective methods. Such events must be observed by witnesses and the affected bidders should be invited. **Note:** In the event of a precise tie between suppliers claiming the incentive, the bid of an SB and the bid of a DVBE that is also a SB, the award shall go to the DVBE that is also an SB. (Reference GC section 14838 (f) and 2 CCR section 1896.8(f)). **Note:** Recycled tire product contracts will be awarded to the bidder whose product has the greatest percentage of recycled tire content if the fitness, quality, and price are equal. (PRC section 42894) "Recycled tire product" means a product with not less than 50 percent of its total content derived from recycled used tires. (PRC section 42890.)

SUPPLIER TERMS AND CONDITIONS/QUOTATION ATTACHMENTS: Quote responses that reference a supplier's own terms and conditions, legal terms, or provisions that conflict with the State's General Provisions shall be considered non-responsive, and will be rejected. The state objects to and will not evaluate or consider any additional terms or conditions submitted by a bidder.

CONFIDENTIALITY: During the evaluation of bids received in response to a competitive solicitation and prior to contract award information relating to bid evaluation is confidential. Any disclosure of confidential information by the bidder during the procurement process is a basis for rejecting the bidder's proposal and finding the bidder ineligible. Total confidentiality during the procurement process is vital to preserve the integrity of the process.

SOLICITATION ATTACHMENTS: The following documents are attached, or are incorporated by reference, and are considered part of this solicitation:

- **Line Item Cost Worksheet** (Commodity Information/Specifications/Descriptions)
- **General Provisions Non IT Commodities (GSPD-401 Non-IT)**

- <http://www.documents.dgs.ca.gov/pd/modellang/GPnonit060810.pdf>
- **Bidder Instructions (GSPD-451)**
<https://www.documents.dgs.ca.gov/pd/modellang/GSPD451-110911.pdf>
- **DVBE Bid Incentive Instructions**
www.documents.dgs.ca.gov/pd/poliproc/MASTER-DVBEIncentivePkg.pdf
- **CDCR Special Terms and Conditions**
- **Bidder Declaration (GSPD-05-105)**
<http://www.documents.dgs.ca.gov/pd/poliproc/MASTER-BidDeclar08-09.pdf>

- **Disabled Veteran Business Enterprise Declarations (STD. 843)**
<http://www.documents.dgs.ca.gov/pd/poliproc/STD-843FillPrintFields.pdf>
- **Postconsumer Content Certification (CIWMB 74)**
<https://www.calrecycle.ca.gov/docs/cr/Contracts/Forms/CalRecycle74C.pdf>
- **Darfur Contracting Act Certification (OBS 1500)**
- **Payee Data Record (STD 204)**
<http://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>.
- **CDCR Supplemental Payee Data Record**
- **Special Provisions such as Warranty Agreement** (if applicable)
- **Distribution List/Delivery Schedule** (for multiple shipping locations or multiple delivery dates, if applicable)
- **Other:** _____

RESPONSE CHECKLIST:

Mandatory Documents: The following checklist identifies the applicable items that must be completed and returned in order to be evaluated for award:

- Completed Request for Quotation Response (OBS 4007(B)) (all pages) including:
 - Signed/dated front page
 - Seller's Permit Information (or a copy of the CA Seller's Permit)
- Line Item Cost Worksheet/Itemized Quote
- Bidder Declaration (GSPD-05-105)
- Darfur Contracting Act Certification (OBS 1500)
- Postconsumer-Content Certification (CIWMB 74)
- Disabled Veteran Business Enterprise Declaration (STD 843) (only if applicable)

Failure to return any item in the above checklist with your bid response may result in your bid being considered non-responsive and may be rejected.