



Invitation for Bid
Solicitation No.
BPM003085
Description:
**Gentex Helmets and
Nomex Flight Suits**

Arizona Department of
Public Safety
2102 W. Encanto Blvd.,
Phoenix, Arizona 85009

Part 1 of the Solicitation:
Instructions and Attachments

PART CONTENTS:

SECTION 1-A: SOLICITATION DETAILS	2
SECTION 1-B: INSTRUCTIONS TO OFFERORS	6
SECTION 1-C: ATTACHMENTS	21

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Section 1-A:
Solicitation Details

Date: **11-9-20**

SECTION CONTENTS:

1.0	PRE-OFFER CONFERENCE	3
2.0	OFFER VALIDITY PERIOD	3
3.0	REQUIRED ATTACHMENTS	3
4.0	REQUIRED PRICING	5
5.0	EVALUATION CRITERIA	5
6.0	SPECIAL INSTRUCTIONS	5
7.0	EXHIBITS TO THE SOLICITATION DETAILS	5

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Solicitation Details

1.0 Pre-Offer Conference

State **will not** conduct an **optional** Pre-Offer Conference for this Solicitation. Refer to paragraph 2.8 of the Instructions to Offerors (Section 1-B of the Solicitation) for more information.

2.0 Offer Validity Period

You must hold the Offer open for 160 (one hundred and sixty) days after the “Bid Opening Date” indicated in the APP. Refer to paragraph 6.1 of the Instructions to Offerors for more information.

3.0 Required Attachments

To be Responsive, your Offer must contain all of the following Attachments:

Refer to paragraph 4.2 of the Instructions to Offerors for more information.


No.	Title	Offeror Action Required	Form Provided
Attachment 1	Offer and Acceptance Form	Refer to paragraph 3.4 of the <u>Instructions to Offerors</u> .	✓
Attachment 2-A with Appendices and Supplements	Response to Scope Requirements	Provide all required information and answer all questions with respect to your company’s ability to DO THE WORK OF THIS SOLICITATION : experience with similar scope and clients, staff having the relevant experience, manufacturing/ distribution capacity, etc.	✓
Attachment 2-B with Appendices and Supplements	Organization Profile	Provide the required information and answer the questions with respect to your COMPANY IN GENERAL : structure; financial health; licenses, certifications, etc.	✓
Attachment 3-A with Appendices and Supplements	Method Proposal	Provide your proposal SPECIFIC TO THIS SOLICITATION as to the means and methods you will apply to carrying out the Work.	✓
Attachment 3-B	Key Personnel Proposal	List the proposed key personnel and assignments; provide resumes as Attachment Supplements.	✓
Attachment 3-C with Supplements	Proposed Subcontractors	List the proposed Subcontractors and scope to be delegated to each.	✓



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No.	Title	Offeror Action Required	Form Provided				
Attachment 3-D with Appendices	Performance Guarantee	Fill out as instructed. Provide your form that complies with the requirements of paragraph 7.2-S[X] of the <u>Special Terms and Conditions</u> (Section 3-A of the Solicitation).	✓				
Attachment 4 with Appendices	State Pricing Document	Enter prices, rates, mark-ups, discounts, and other pricing data on every item for which Offer is being made. Refer to Article 4 below. NOTE: The completed Attachment 4 from the Accepted Offer will become <u>Exhibit 1 to the Commercial Document</u> (Section 2-B of the Solicitation) in the Contract.	✓				
Supplements to Attachment 4	Contractor Price Lists/ Catalogs	Create or copy custom or standard price lists and/or catalogs; upload as part of Offer as Attachments Supplements and label each clearly. NOTE: The completed Attachment 4 Supplements from the Accepted Offer will become the Annexes to Exhibit 1 to the Commercial Document.					
Attachment 5-A with Supplements	Designation of Confidential Information	Indicate what, if any, information in Offer is confidential, trade secret or proprietary (see paragraph 4.7 of the Instructions to Offerors).	✓				
Attachment 5-B	Conformance Statements	Attest that Offer conforms to the Solicitation (see paragraph 3.5 of the Instructions to Offerors)	✓				
Attachment 5-C with Supplements	Insurance and Bonding Evidence	Provide the following as indicated by the "●" mark; if neither one is marked, then no Attachment 5-C is required: <table border="1" data-bbox="792 1367 1344 1688"> <tr> <td data-bbox="792 1367 857 1556"></td> <td data-bbox="857 1367 1344 1556">Satisfactory evidence that the required insurance called for in <u>Exhibit 1</u> to the <u>Special Terms and Conditions</u> is already in place by current certificate of insurance or that Contractor can obtain it by broker's letter.</td> </tr> <tr> <td data-bbox="792 1556 857 1688"></td> <td data-bbox="857 1556 1344 1688">Satisfactory surety letters as evidence that Contractor can obtain the required bonds or other security called for in <u>Exhibit 1</u> to the <u>Special Terms and Conditions</u>.</td> </tr> </table>		Satisfactory evidence that the required insurance called for in <u>Exhibit 1</u> to the <u>Special Terms and Conditions</u> is already in place by current certificate of insurance or that Contractor can obtain it by broker's letter.		Satisfactory surety letters as evidence that Contractor can obtain the required bonds or other security called for in <u>Exhibit 1</u> to the <u>Special Terms and Conditions</u> .	✓
	Satisfactory evidence that the required insurance called for in <u>Exhibit 1</u> to the <u>Special Terms and Conditions</u> is already in place by current certificate of insurance or that Contractor can obtain it by broker's letter.						
	Satisfactory surety letters as evidence that Contractor can obtain the required bonds or other security called for in <u>Exhibit 1</u> to the <u>Special Terms and Conditions</u> .						
Attachment 5-D	Offer Checklist	Attest that each item on the checklist has been provided with or as part of Offer.	✓				

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No.	Title	Offeror Action Required	Form Provided
Attachment 6	Additional Attachments	Any other documentation required by the Solicitation to be submitted with or as part of Offer.	✓

4.0 Required Pricing

4.1 Pricing to be provided Attach 4 Spreadsheet.

5.0 Evaluation Criteria

In accordance with A.A.C. R2-7-C316, each Offer will be evaluated on the following criteria, listed in their relative order of importance from most important to least:

First: **OFFEROR'S COST AND DELIVERY PROPOSAL**, as provided in Offeror's response in Attachment 4 Spreadsheet. This is an Invitation for bid and offers will be evaluated on price..
Please note that "no" Exceptions are allowed for an IFB proposal.

These items will be reviewed but will not be a factor in the evaluation:

RESPONSE TO SCOPE REQUIREMENTS, as demonstrated in Offeror's response to Attachment 2-A, taken together with Offeror's responses to Attachment 5-B and any other aspect of the Offer that Procurement Officer determines is appropriate.

OFFEROR'S RESPONSE ON ATTACHMENTS: as set out in Offeror's response to Attachment 3-A, taken together with Offeror's responses to Attachments 3-B, 3-C, 3-D, 5-B, and 5-C, and any other aspect of the Offer that Procurement Officer determines is appropriate.

6.0 Special Instructions

6.1 Shipping FOB Destination

6.1.1 Prices shall be F.O.B. Destination and delivered to DPS Aviation Bureau, 2615 East Air Lane, Phoenix, Arizona 85034 or as specified at the time of the order. Contractor shall retain title and control of all goods until they are delivered, received and contract of coverage has been completed. All risk of transportation and all related charges shall be the responsibility of the contractor. All claims for visible and concealed damage shall be filed by the contractor. The State will notify the contractor promptly of any damaged goods and shall assist the contractor in arranging for inspection.

7.0 Exhibits to the Solicitation Details

- Exhibit 1-A.1 [add if needed – reference purpose in text above] dd-Mmm-yyyy
- Exhibit 1-A.2 [add if needed – reference purpose in text above] dd-Mmm-yyyy

End of Section 1-A



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FOR USE IN ALL INVITATIONS FOR BIDS, REQUESTS FOR PROPOSALS, AND REQUESTS FOR QUOTATIONS,
 AS WELL AS REQUESTS FOR QUALIFICATIONS UNDER A.R.S. §41-2558

Section 1-B:
Instructions to Offerors
 Rev. 1.2 (6/15/2016)

SECTION CONTENTS:

1.0	DEFINITION OF TERMS	9
1.1	Arizona Procurement Code; A.R.S.: A.A.C	9
1.2	Attachment	9
1.3	Clarifications	9
1.4	Commercial Document	9
1.5	Contract	9
1.6	Contract Amendment	9
1.7	Contract Terms and Conditions	9
1.8	Contractor	9
1.9	Evaluation	9
1.10	Exhibit	10
1.11	Negotiations	10
1.12	Not Susceptible for Award	10
1.13	Offer: Revised Offer; Best and Final Offer (BAFO)	10
1.14	Offeror	10
1.15	Person	10
1.16	APP	10
1.17	Procurement Officer	10
1.18	Responsible; Not Responsible	10
1.19	Responsive	10
1.20	Solicitation	10
1.21	Solicitation Amendment	10
1.22	Solicitation Details	10
1.23	State	11
1.24	Subcontract	11
1.25	Subcontractor	11
2.0	SOLICITATION INQUIRIES	11
2.1	Duty to Examine	11
2.2	Submission of Objections	11
2.3	Submission of Potential Exceptions	11
2.4	Submission of Inquiries	11
2.5	State Contact Person	12
2.6	Verbal or Email Responses	12
2.7	Solicitation Amendments	12
2.8	Pre-Offer Conference	12
3.0	OFFER PREPARATION	12
3.1	Online Documents	12
3.2	Electronic Submissions	12



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 Description:
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 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

3.3	<u>Deviations in Offer</u>	12
3.4	<u>Evidence of Intent</u>	12
3.5	<u>Exceptions to Solicitation Documents</u>	12
3.6	<u>Insurance and Bonds</u>	13
3.7	<u>Alternative Insurance Program</u>	13
3.8	<u>Identification of Taxes in Offer</u>	14
3.9	<u>Excise Tax</u>	14
3.10	<u>Employee Identification</u>	14
3.11	<u>Disclosure</u>	14
3.12	<u>Federal Immigration Laws</u>	14
3.13	<u>Cost of Offer Preparation</u>	14
4.0	<u>SUBMISSION OF OFFER</u>	14
4.1	<u>Offer Content</u>	14
4.2	<u>Provided Forms</u>	14
4.3	<u>Pricing</u>	15
4.4	<u>Submission</u>	15
4.5	<u>Solicitation Amendments</u>	16
4.6	<u>Amending or Withdrawing</u>	16
4.7	<u>Confidential Information</u>	16
4.8	<u>Public Record</u>	16
4.9	<u>Offeror Certification</u>	16
5.0	<u>RESPONSIBLE; NOT SUSCEPTIBLE FOR AWARD</u>	17
5.1	<u>Responsible</u>	17
5.2	<u>Not Susceptible for Award</u>	17
5.3	<u>Omitted or Incomplete Attachments</u>	17
5.4	<u>Eligibility for Evaluations and Negotiations</u>	17
6.0	<u>EVALUATION OF OFFERS</u>	18
6.1	<u>Offer Validity Period</u>	18
6.2	<u>Clarifications</u>	18
6.3	<u>Cost or Pricing Data</u>	18
6.4	<u>Evaluations</u>	18
6.5	<u>Negotiations</u>	18
6.6	<u>Financial Stability</u>	18
6.7	<u>Consideration of Exceptions</u>	18
6.8	<u>Consideration of Deviations</u>	18
6.9	<u>Consideration of Prompt Payment Discount</u>	19
6.10	<u>Consideration of Taxes</u>	19
6.11	<u>Consideration of Cost</u>	19
6.12	<u>Unit Price Prevails</u>	19
6.13	<u>Waiver and Rejection</u>	19
7.0	<u>AWARD OF CONTRACT</u>	19
7.1	<u>Best Advantage to State</u>	19
7.2	<u>Number of Types of Awards</u>	19
7.3	<u>Contract Inception</u>	19
7.4	<u>Contract Document Consolidation</u>	19



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[8.0 SOLICITATION OR AWARD PROTESTS](#) 20

[9.0 COMMENTS WELCOME](#) 20

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Instructions to Offerors

1.0 Definition of Terms

As used in these Instructions to Offerors, the terms listed below are defined as follows:

1.1 Arizona Procurement Code; A.R.S.; A.A.C.	<p>“Arizona Procurement Code” means, collectively, Title 41 Chapter 23, <i>et. sequitur</i>, in the Arizona Revised Statutes (abbreviated “A.R.S.”) and administrative rules R2-7-101 <i>et. sequitur</i> in the Arizona Administrative Code (abbreviated “A.A.C.”).</p> <p>NOTE: There are frequent references to the Arizona Procurement Code throughout the Solicitation, therefore, you will need to be familiar with its provisions to be able to understand the Solicitation fully. Links for obtaining copies are given below.</p> <p>The Arizona Department of Administration State Procurement Office provides a reference compilation of the Arizona Procurement Code on its website: https://spo.az.gov/administration-policy/state-procurement-resource/procurement-regulations</p> <p>The Arizona State Legislature provides the official A.R.S. online at: http://www.azleg.gov/ArizonaRevisedStatutes.asp</p> <p>The Office of the Arizona Secretary of State provides the official A.A.C. online at: http://www.azsos.gov/rules/arizona-administrative-code</p>
1.2 Attachment	<p>“Attachment” means any item in <u>Section 1-C</u> of the <u>Solicitation</u> that the Solicitation requires Offeror to submit as part of the Offer.</p>
1.3 Clarifications	<p>“Clarifications” means, per A.A.C. R2-7-C313, communications between the Procurement Officer and Offeror for the purpose of providing a greater mutual understanding of the Offer. Clarifications may include demonstrations, questions and answers, or elaborations on previously-submitted information.</p>
1.4 Commercial Document	<p>“Commercial Document” means <u>Section 2-B</u> of the <u>Solicitation</u>.</p>
1.5 Contract	<p>“Contract” is defined in paragraph 1.7 of the <u>Uniform Terms and Conditions</u>.</p>
1.6 Contract Amendment	<p>“Contract Amendment” is defined in paragraph 1.8 of the <u>Uniform Terms and Conditions</u>.</p>
1.7 Contract Terms and Conditions	<p>Contract Terms and Conditions” is defined in paragraph 1.9 of the Uniform Terms and Conditions.</p>
1.8 Contractor	<p>“Contractor” is defined in paragraph 1.21 of the <u>Uniform Terms and Conditions</u>.</p>
1.9 Evaluation	<p>“Evaluation” means, per A.A.C. R2-7-316, 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.</p>



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1.10 Exhibit	“Exhibit” is defined in paragraph 1.21 the <u>Uniform Terms and Conditions</u> .
1.11 Negotiations	“Negotiations” means, per A.A.C. R2-7-101(32), an exchange or series of exchanges between State and an offeror for the purposes set forth in A.A.C. R2-7-C314.
1.12 Not Susceptible for Award	“Not Susceptible for Award” means, per A.A.C. R2-7-C311, that the relevant offer has been determined by the Procurement Officer to fail one or more of the tests and comparisons set forth therein. NOTE: A determination of Not Susceptible for Award and a determination of Responsive are mutually exclusive.
1.13 Offer: Revised Offer; Best and Final Offer (BAFO)	“Offer” means, per A.A.C. R2-7-101(33), Offeror’s proposal submitted to State in response to the Solicitation, as initially submitted. “Revised Offer” means any revised versions of the Offer that Offeror has submitted to State at State’s request as permitted under A.A.C. R2-7-C314 and -C315. “Best and Final Offer” (“BAFO”) means, per A.A.C. R2-7-101(8), the Revised Offer submitted after negotiations have been completed that contain Offeror’s most favorable terms for price, service, and products to be delivered.
1.14 Offeror	“Offeror” is the Person submitting the 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.
1.15 Person	“Person” is defined in paragraph 1.22 of the <u>Uniform Terms and Conditions</u> .
1.16 Arizona Procurement Portal (APP)	“APP” is defined in paragraph 1.24 of the <u>Uniform Terms and Conditions</u> .
1.17 Procurement Officer	“Procurement Officer” means the person, or his or her designee, who has been duly authorized by State to administer the Solicitation and make written determinations with respect to the Solicitation. The Procurement Officer is identified in APP.
1.18 Responsible; Not Responsible	“Responsible” [offeror] means, per A.R.S. § 41-2531(14), that the relevant offeror has been determined by Procurement Officer to have the capability to perform the contract requirements and the integrity and reliability which will assure good faith performance. “Not Responsible” means that it does not (i.e., Procurement Officer has made a negative determination).
1.19 Responsive	“Responsive” [offer] means, following from A.R.S. § 41-2531(15), that the relevant offer has been determined by Procurement Officer to conform in all material respects to the Solicitation.
1.20 Solicitation	“Solicitation” means this procurement solicitation, which State is issuing as either: (1) an invitation for bids (“IFB”) under A.R.S. § 41-2533. (2) a request for proposals (“RFP”) under A.R.S. § 41-2534, (3) a request for quotations (“RFQ”) under A.R.S. § 41-2535, or (4) a request for qualifications under A.R.S. §41-2558. Refer to the <u>Solicitation Details</u> for indication of which of the foregoing applies to this solicitation.
1.21 Solicitation Amendment	“Solicitation Amendment” means, per A.A.C. R2-7-303, a change to the Solicitation that has been issued by Procurement Officer.
1.22 Solicitation Details	“Solicitation Details” means <u>Section 1-A of the Solicitation</u> .



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1.23 State	“State” is defined in paragraph 1.30 of the <u>Uniform Terms and Conditions</u> .
1.24 Subcontract	“Subcontract” is defined in paragraph 1.33 of the <u>Uniform Terms and Conditions</u> .
1.25 Subcontractor	“Subcontractor” is defined in paragraph 1.34 of the <u>Uniform Terms and Conditions</u> .
2.0 Solicitation Inquiries	
2.1 Duty to Examine	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 the Offer will not be grounds for modifying or withdrawing it after the due date and time.
2.2 Submission of Objections	Submit any objection to the Solicitation no less than 5 (five) business days before the Offer due date and time. NOTE: A.A.C. R2-7-A901(C) requires that any protest based on alleged improprieties in the Solicitation be filed before the offer due date and time. NOTE: An objection under this paragraph is not a protest under A.A.C. R2-7-A901 (although it might reflect an incipient protest), and therefore Procurement Officer’s response to one is not a determination under A.A.C. R2-7-A901.
2.3 Submission of Potential Exceptions	If you want Procurement Officer to review and advise on any potential exceptions to the Solicitation documents, then submit them following the same instructions as given in paragraph 2.4 for inquiries no less than 5 (five) business days before the Offer due date and time. Although you may, if you so choose, submit your Offer with exceptions (using <u>Attachment 5-B [Conformance Statements]</u>), doing so may affect whether or not the offer is determined Responsive or how it is scored in Evaluation (depending on the nature of the exception). Procurement Officer’s pre-offer advice as to whether or not a potential exception might be deemed material (and thus likely resulting in a determination of Not Susceptible for Award) or might affect Evaluation (if it is significant but not material) is for convenience only – only a determination consistent with the Arizona Procurement Code is an official statement.
2.4 Submission of Inquiries	Submit all inquiries related to the Solicitation in APP; the Procurement Officer will not respond to inquiries received in any other manner. <ol style="list-style-type: none"> 1. Submit technical inquiries about submitting proposals in APP to the APP Help Desk: <ul style="list-style-type: none"> ▪ by phone at (602) 542-7600, option 1; or ▪ by email to app@azdoa.gov. 2. Submit all other inquiries about the Solicitation using the online form under the “Discussion” tab for Solicitation Error! Reference source not found. 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.



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2.5 State Contact Person	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 the Procurement Officer concerning the Solicitation while it is in progress, through and including award.
2.6 Verbal or Email Responses	Do not rely on verbal or email responses to inquiries – those do not constitute a modification of the Solicitation.
2.7 Solicitation Amendments	Only a Solicitation Amendment issued in APP can change the Solicitation.
2.8 Pre-Offer Conference	If Article 1 of the <u>Solicitation Details</u> indicates that State will hold a Pre-Offer Conference, then the conference date, time and location are provided in APP. The Solicitation Details also indicates whether or not attendance at the conference is a mandatory. If it is mandatory, then attendance at the conference is a prerequisite for the Offer to be Responsive. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Procurement Officer sufficiently in advance to make the necessary arrangements.
3.0 Offer Preparation	
3.1 Online Documents	The Solicitation documents are only provided online in APP; State will not provide any printed copies or other formats.
3.2 Electronic Submissions	When submitting your 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.
3.3 Deviations in Offer	When submitting your Offer, flag clearly any deviations from the Specifications or other Solicitation technical requirements documents. Any un-flagged deviation will be deemed void upon submission. 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., and are not to be confused with the material exceptions covered in paragraph 3.5.
3.4 Evidence of Intent	Your Offer must contain <u>Attachment 1 [Offer and Acceptance Form]</u> 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 your Offer and the terms of the Solicitation, and your representation that the information you have provided in your Offer is true and accurate.
3.5 Exceptions to Solicitation Documents	If your Offer is being submitted conditioned on exceptions to the Solicitation documents, indicate "NO" on <u>Attachment 5-B [Conformance Statement]</u> and also indicate that exceptions are being taken under the "Terms & Conditions" tab for the Solicitation BPM003085 in APP Any exceptions taken elsewhere in the Offer or any of your preprinted or standard terms will be void in the Offer and without force or effect in any resulting contract. Please note that "no" Exceptions are allowed for an IFB.



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**3.6 Insurance
and Bonds**

Subject to paragraph 3.7, provide the evidence of insurance availability, evidence of insurance in place, evidence of bonding capacity, bonds in hand, or other security that are called for in Attachment 5-C [Insurance and Bonding Evidence].

If you intend to withhold or redact any element of your evidence of insurance policy compliance required by Article 4 of Exhibit 1 to the Special Terms and Conditions [Contractor Insurance Requirements] on the grounds that it is confidential information, then **you must claim it as such and submit the necessary substantiated justification with your Offer using Attachment 5-A [Designation of Confidential Information]**. Unless Procurement Officer has determined that your evidence documentation, or some or all your insurance program, is confidential information under paragraph 4.7, refusing after contract award to provide the complete, un-redacted copies of policies as called for in Exhibit 1 to the Special Terms and Conditions will be a material breach of contract.

If you want to vet your proposed redactions with Procurement Officer before submitting your Offer, submit them no less than 5 (five) business days before the Offer due date and time using the inquiries procedure set forth in in paragraph 2.4, Although you may, if you so choose, submit your Offer conditioned on redactions using Attachment 5-A [Designation of Confidential Information], doing so may affect whether or not the offer is determined Responsive or how it is scored in Evaluation (depending on the nature of the redactions). Procurement Officer’s pre-offer advice as to whether or not a potential redaction might be deemed material (and thus likely resulting in a determination of Not Susceptible for Award) or might affect Evaluation (if it is significant but not material) is for convenience only – only a determination consistent with the Arizona Procurement Code is an official statement

**3.7 Alternative
Insurance
Program**

If your proposal is conditioned on an alternative insurance program (i.e., one that is not made up of traditional, placed policies in the form and substance called for in Exhibit 1 to the Special Terms and Conditions, such as self-insurance), then, in addition to indicating “NO” on Attachment 5-B [Conformance Statement], you must submit a comprehensive description of your proposed program as a Supplement to the attachment. In that supplement, document how your alternative program provides State a materially equivalent degree of protection compared to the mandatory program specified in the Solicitation.

Procurement Officer shall determine whether or not the proposed alternative program meets State’s protection needs in the current circumstances, giving fair consideration to the growing use of alternative programs in industry. If Procurement Officer’s reasonable determination is that the proposed alternative program does not meet those needs, then he or she may determine Offeror to be Not Responsible.

If you want to vet your proposed alternative insurance program with Procurement Officer before submitting your Offer, submit them no less than 5 (five) business days before the Offer due date and time using the inquiries procedure set forth in in paragraph 2.4, Although you may, if you so choose, submit your Offer conditioned on an alternate program using Attachment 5-B [Conformance Statement], doing so may affect whether or not the offer is determined Responsive or how it is scored in Evaluation (depending on the nature of the variances). Procurement Officer’s pre-offer advice as to whether or not the potential variances might be deemed material (and thus likely resulting in a determination of Not Susceptible for Award) or might



Invitation for Bid
 Solicitation No.
BPM003085
 Description:
**Gentex Helmets and
 Nomex Flight Suits**

**Arizona Department of
 Public Safety**
**2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009**

	affect Evaluation (if it is significant but not material) is for convenience only – only a determination consistent with the Arizona Procurement Code is an official statement.
3.8 Identification of Taxes in Offer	State is subject to Arizona Transaction Privilege Tax as well as certain local sales/use taxes, as described in the <u>Contract Terms and Conditions</u> . Identify taxes in your pricing as separate items by amount or by rate, as applicable, in <u>Attachment 4 [Pricing Document]</u> or the relevant Attachment Supplement.
3.9 Excise Tax	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. Refer to Article 4 the <u>Commercial Document</u> .
3.10 Employee Identification	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.
3.11 Disclosure	If you are submitting your 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 your 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 your 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.
3.12 Federal Immigration Laws	By signing the 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 Offer evaluation, which you must provide promptly. Not providing the evidence will be grounds for Procurement Officer to determine the Offer is Not Susceptible for Award.
3.13 Cost of Offer Preparation	State will not reimburse to you or any of your prospective subcontractors, suppliers, or consultants any costs associated with responding to the Solicitation.
4.0 Submission of Offer	
4.1 Offer Content	Submit all of the Offer content called for in Article 3 of the <u>Solicitation Details</u>.
4.2 Provided Forms	If Article 3 of the <u>Solicitation Details</u> indicates that a "Form" is being provided for an Attachment, then the Solicitation includes the required form and format for submitting the Attachment. No other form or format will be accepted, and your Offer can be determined Not Susceptible for Award if you submit an unofficial form. If, however, the Solicitation indicates that you are allowed to attach additional documents regarding a particular question or line item, then doing so will be acceptable so long as the filled-out Attachment clearly states "See Attachment X"



Invitation for Bid
 Solicitation No.
BPM003085
 Description:
**Gentex Helmets and
 Nomex Flight Suits**

**Arizona Department of
 Public Safety**
**2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009**

Supplement (#1 of 2)", etc., and the additional document is clearly marked as "Attachment X Supplement (#1 of 2)," etc.

continued on next page ...

... continued from previous page

NOTE (1): Each Form has a blank space to list your Attachment Supplements.

NOTE (2): You must upload each such "additional" document as an individual file and name the file to match the document title.

NOTE (3): Attachment Forms cannot be filled-in directly in APP; they must be downloaded, edited, and then uploaded (referred to as "attachments" in APP as part of the Offer.

NOTE (4): Do not include non-specific marketing materials in your Offer. If something is not specifically called for, then including it will not be helpful during Evaluation, and might in fact be grounds for down-grading if it does not address your experience and capacity to carry out the work for THIS SOLICITATION.

4.3 Pricing

If there are specific "Items" (line items) for the Solicitation in APP, then submit pricing for the Offer directly in APP for each such Item. Unless Article 4 of the Solicitation Details indicates otherwise, the **Offer must include a price, rate, multiplier, or discount for every Item** in order to be determined Responsive.

If a Pricing Document has been provided as an Attachment Form, then submit pricing for your Offer in the indicated blanks in that Attachment. Unless Article 4 of the Solicitation Details indicates otherwise, the **Offer must include a price, rate, multiplier, or discount for every blank field** in order to be determined Responsive.

If no specific pricing input or form has been provided with the Solicitation, then submit pricing for your Offer in the form and format specified in Attachment 4 [Pricing Document]. If nothing is specified or if no Attachment 4 is included in the Solicitation documents, then submit pricing for your Offer in a form and format of your choosing that coherently and comprehensively presents the pricing being offered. Unless Article 3 of the Solicitation Details expressly indicates otherwise, **the Offer must include a price, rate, multiplier, or discount for every item or service covered by the scope of the Solicitation** (or for an entire category of item or service, if pricing applies in that way) in order to be determined Responsive.

4.4 Submission

Submit your Offer online in APP at <https://app.az.gov> before the "Bid Opening Date" indicated for the "Solicitation No." at the top of these Instructions to Offerors. State will not consider a proposal submitted by any other method other than APP, and it will be deemed void upon submission.

By A.A.C. R2-7-C307, State will not consider later 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 and the Solicitation Details, then Procurement Officer may determine it Not Susceptible for Award.

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.



Invitation for Bid

Solicitation No.
BPM003085

Description:
**Gentex Helmets and
Nomex Flight Suits**

**Arizona Department of
Public Safety**
2102 W. Encanto Blvd.,
Phoenix, Arizona 85009

<p>4.5 Solicitation Amendments</p>	<p>Acknowledge each Solicitation Amendment in APP. By A.A.C. R2-7-C303(C), you must acknowledge every Solicitation Amendment issued as of the due date and time for your Offer to be Responsive. If you have submitted your proposal early, you must be alert for subsequent Solicitation Amendments – if one is issued after your submission but before offer due date and time, then the Procurement Officer may determine it to be Not Responsive if you have not acknowledged it.</p>
<p>4.6 Amending or Withdrawing</p>	<p>You cannot amend or withdraw a submitted proposal after the Offer due date and time unless expressly permitted under applicable law.</p>
<p>4.7 Confidential Information</p>	<p>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 <u>Attachment 5-A [Designation of Confidential Information]</u> that your proposal contains such claimed confidential information and (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.” Simply indicating that the proposal contains confidential information is not sufficient to claim the protections under A.A.C. R2-7-C317 – Attachment 5-A must be accompanied by a detailed explanation as to why EACH ITEM or category of items in the proposal should be designated confidential information. 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.</p> <p>NOTE: Contract terms and conditions, pricing, and information generally available to the public are not and will not be designated confidential information.</p>
<p>4.8 Public Record</p>	<p>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.</p> <p>Procurement Officer shall make the names of Persons who submitted offers available in APP promptly after the opening date.</p>
<p>4.9 Offeror Certification</p>	<p>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 it provides services because of race, color, religion, sex, national origin, or disability, and that it complies with an applicable federal, state, and local laws and executive orders regarding employment.</p>



Invitation for Bid

Solicitation No.
BPM003085

Description:
**Gentex Helmets and
Nomex Flight Suits**

**Arizona Department of
Public Safety**
2102 W. Encanto Blvd.,
Phoenix, Arizona 85009

5.0 Responsible; Not Susceptible for Award

5.1 Responsible

When determining whether or not you are Responsible under A.A.C. R2-7-C312, Procurement Officer may, further to the factors set forth therein, consider whether you have:

1. had a contract within the last 5 (five) years that was terminated for cause due to breach or similar failure to comply with the terms of that contract; or
2. a record of performance that includes factual evidence of failure to satisfy the terms of your agreements with any party to a contract, with factual evidence consisting of documented vendor performance reports, customer complaints and/or negative references.

5.2 Not Susceptible for Award

When determining whether or not your Offer is Not Susceptible for Award under A.A.C. R2-7-C311, Procurement Officer may, in assessing the compliance described in paragraph (A)(2) of that sub-section, consider whether your Offer:

1. is sufficient for Evaluation;
2. attempts to materially change the contents of the Solicitation;
3. would limit State's rights or remedies if accepted;
4. is subject to or includes unreasonable conditions, including conditions upon State necessary for its successful performance, with Procurement Officer being the sole determiner as to the reasonableness of a condition; or
5. provides any misleading or inaccurate information.

5.3 Omitted or Incomplete Attachments

If the Offer does not include all required Attachments, or if any Attachment has not been completed in conformance to the specific instructions on the applicable Attachment Form, then Procurement Officer may:

1. instruct Offeror to provide the omitted documentation as a Clarification if the omission or incompleteness is of the nature of an inadvertent clerical mistake or reasonable and excusable misinterpretation of the relevant requirements as they were stated;
2. further consider the Offer, but down-grade it as appropriate in Evaluation if the omission is significant but not material; or
3. determine that the Offer is Not Susceptible for Award if the omission or incompleteness is material.

5.4 Eligibility for Evaluations and Negotiations

If Procurement Officer determines an offeror is Not Responsible, then he or she is not permitted by A.A.C. R2-7-C314 to give further consideration to its offer or include it in any Negotiations or make any Evaluation of its offer. If, however, Procurement Officer determines that an offer is Responsive (i.e., there is no applicable determination of Not Susceptible for Award), then he or she is obliged by A.A.C. R2-7-C314 to make an Evaluation of it and include the offeror in the immediate round of Negotiations (if there are any Negotiations).

If Procurement Officer determines subsequently that your Revised Offer is Not Susceptible for Award by virtue of comparison to other revised offers per A.A.C. R2-7-C314(A)(3), then he or she will not include you in any further Negotiations. For clarity of intent, the foregoing means that Procurement Officer may reduce the number of offers that are "susceptible for award" with each successive round of Negotiations, since the purpose of Negotiations is to achieve best value for State.



Invitation for Bid
Solicitation No.
BPM003085
Description:
**Gentex Helmets and
Nomex Flight Suits**

**Arizona Department of
Public Safety**
2102 W. Encanto Blvd.,
Phoenix, Arizona 85009

6.0 Evaluation of Offers

6.1 Offer Validity Period	By submitting your Offer, you agree to hold it open for the validity period specified in Article 2 of the <u>Solicitation Details</u> . If no validity period is specified therein, then you shall hold your Offer open for 180 (one hundred eighty) days. The specified or default validity period (whichever applies) re-starts upon submission of each Revised Offer or a Best and Final Offer.
6.2 Clarifications	Procurement Officer may request oral or written Clarifications from offerors as necessary when making determinations under Article 5, making Evaluations, conducting Negotiations, and determining award under A.A.C. R2-7-C317.
6.3 Cost or Pricing Data	Submit any cost or pricing data promptly that Procurement Officer requests under A. R. S § 41-2543 per A.A.C. R2-7-702(B)(2). Procurement Officer may make the following preconditions for both eligibility under paragraph 5.4 and award: <ol style="list-style-type: none"> 1. submission of appropriate cost or pricing data under A.A.C. R2-7-704; 2. determination that the submitted cost or pricing data demonstrates that pricing is fair and reasonable under A.A.C. R2-7-702(A); and 3. determination that the data is not defective under A.A.C. R2-7-705.
6.4 Evaluations	Procurement Officer shall conduct Evaluations of those offers determined to be eligible under paragraph 5.4.
6.5 Negotiations	Procurement Officer may conduct Negotiations with offerors whose offers have been determined to be eligible under paragraph 5.4. Procurement Officer will request a best and final offer from any offerors with whom negotiations have been conducted, provided that, State may make award made without any Negotiations and therefore every offeror is forewarned to always submit its offer complete and on the most favorable terms initially, and not to assume any opportunity for Negotiations.
6.6 Financial Stability	You must be able to substantiate your financial stability to State's satisfaction as a precondition of any contract award. Procurement Officer may demand documentation such as current and audited financial statement, including income and balance sheets, directly from you or may obtain reports from independent financial rating services. Not providing the evidence will be grounds for Procurement Officer determining your Offer is Not Susceptible for Award.
6.7 Consideration of Exceptions	Please note that "no" Exceptions are allowed for an IFB. Procurement Officer may determine that your Offer is Not Susceptible for Award if it is conditioned on an exception to a material aspect of the Solicitation. Even if Procurement Officer determines that an exception is one that does not merit Not Susceptible for Award determination, he or she may down-grade your Offer in Evaluations if the exception is significant.
6.8 Consideration of Deviations	Procurement Officer may down-grade your Offer in Evaluations if it contains deviations that, in his or her determination, materially reduce the value to State of affected Materials or Services across the life-cycle thereof.



Invitation for Bid
 Solicitation No.
BPM003085
 Description:
**Gentex Helmets and
 Nomex Flight Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

6.9 Consideration of Prompt Payment Discount	Procurement Officer shall credit any proposed prompt payment discounts for the purpose of evaluating offer prices.
6.10 Consideration of Taxes	Procurement Officer shall not include Arizona Transaction Privilege Tax and other sales/use taxes for the purpose of evaluating offer prices.
6.11 Consideration of Cost	Regardless of the relative order assigned to cost in Article 5 of the <u>Solicitation Details</u> , cost is an essential consideration in every award State makes; State's intent is always to obtain the best pricing available and it strives to make its evaluations be a straightforward comparison of best value between the responsible and responsive proposals as far as possible to the extent permissible under applicable laws.
6.12 Unit Price Prevails	In the case of discrepancy in your Offer between a unit price or rate and an extension of that unit price or rate, the unit price or rate will prevail.
6.13 Waiver and Rejection	Notwithstanding any other provision of the Solicitation, State reserves the right to: <ol style="list-style-type: none"> 1. waive any minor informality; 2. reject any or all offers or portions thereof; or 3. cancel the Solicitation.
7.0 Award of Contract	
7.1 Best Advantage to State	Under A.A.C. R2-7-C317, contracts will be awarded to the responsible offeror whose offer is determined to be most advantageous to the State based on the stated evaluation criteria.
7.2 Number of Types of Awards	State may make multiple awards or to award contracts by individual line items or alternates, by group of line items or alternates, or to make an aggregate award, or regional awards, whichever is determined to be most advantageous to State.
7.3 Contract Inception	Your Offer does not constitute a contract nor does it confer any right on you to the award of a contract. A contract is not created until your Offer has been accepted for State by Procurement Officer's signature on the Offer and Acceptance Form. Notice of award or of intent to award will not constitute State's acceptance of your Offer.
7.4 Contract Document Consolidation	State may, at its option, consolidate the resulting contract documents after contract award. Examples of such consolidation are reorganizing Solicitation documents and those components of the Accepted Offer not pertaining to the contract's operation and excluding any components of the Accepted Offer that were not awarded. Contract document consolidation will not, however, include or be construed to include any materially change the Solicitation or the Contract.



Invitation for Bid

Solicitation No.
BPM003085

Description:
**Gentex Helmets and
Nomex Flight Suits**

**Arizona Department of
Public Safety**
2102 W. Encanto Blvd.,
Phoenix, Arizona 85009

8.0 Solicitation or Award Protests

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:

1. the name, address, email address and telephone number of the interested party;
2. signature of the interested party or its representative;
3. identification of the purchasing agency and the solicitation or contract number;
4. a detailed statement of the legal and factual grounds of the protest including copies of relevant documents; and
5. the form of relief being requested.

9.0 Comments Welcome

SEPARATELY AND APART FROM THIS SOLICITATION, The State Procurement Office periodically reviews these Instructions to Offerors and welcomes any comments the public may have. Please submit your comments to: State Procurement Administrator, State Procurement Office, 100 North 15th Avenue, Suite 201, Phoenix, Arizona, 85007.

End of Section 1-B



Invitation for Bid
 Solicitation No.
BPM003085
 Description:
**Gentex Helmets and
 Nomex Flight Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

Section 1-C:

Attachments

Date: 11-9-20

ATTACHMENT 1.....	OFFER AND ACCEPTANCE FORM	22
ATTACHMENT 2-A...	RESPONSE TO SCOPE REQUIREMENTS	23
ATTACHMENT 2-B...	ORGANIZATION PROFILE	24
ATTACHMENT 3-A...	METHOD PROPOSAL	26
ATTACHMENT 3-B...	KEY PERSONNEL PROPOSAL	27
ATTACHMENT 3-C ...	PROPOSED SUBCONTRACTORS	31
ATTACHMENT 3-D ...	PERFORMANCE GUARANTEE	32
ATTACHMENT 4.....	PRICING DOCUMENT	33
ATTACHMENT 5-A...	CONFIDENTIAL INFORMATION DESIGNATION	34
ATTACHMENT 5-B...	CONFORMANCE STATEMENTS	37
ATTACHMENT 5-C ...	INSURANCE AND BONDING EVIDENCE	38
ATTACHMENT 5-D ...	OFFER CHECKLIST	39

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Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

Attachment 1
Offer and Acceptance Form

SUBMISSION OF OFFER: Undersigned hereby offers and agrees to provide Gentex Helmets and Nomex Suits to in compliance with the Solicitation indicated above and our Offer indicated by the latest dated version below:

Initial Offer:	1.	<input checked="" type="checkbox"/>						
		date	initial					
Revised Offers:	2.	<input checked="" type="checkbox"/>		3.	<input checked="" type="checkbox"/>		4.	<input checked="" type="checkbox"/>
		date #1	initial		date #1	initial		date #1
	5.	<input checked="" type="checkbox"/>		6.	<input checked="" type="checkbox"/>		7.	<input checked="" type="checkbox"/>
		date #4	initial		date #5	initial		date #6
Best and Final Offer:	8.	<input checked="" type="checkbox"/>						
		date	initial					

Offeror company name

Signature of person authorized to sign Offer Initials

Address

Printed name and title

City | State | ZIP

Contact name and title

Federal tax identifier (EIN or SSN)

Contact Email Address

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, and which was dated **date** (the Accepted Offer). 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 to provide any material or perform any service under the Contract until Contractor receives the applicable Order or written notice to proceed from Procurement Officer.

State's Contract No. is ##### The effective date of the Contract is: date Contract awarded date

Procurement Officer signature

name
 Procurement Officer printed name



Invitation for Bid
Solicitation No.
BPM003095
Description:
**Gentex Helmets and
Nomex Suits**

**Arizona Department of
Public Safety**
2102 W. Encanto Blvd.,
Phoenix, Arizona 85009

Attachment 2-A
Response to Scope Requirements

STATE MAY DETERMINE YOUR PROPOSAL IS NON-RESPONSIVE IF YOU DO NOT ANSWER ALL QUESTIONS FULLY.

Question 1:

Provide details on the body measuring form your company will be utilizing to ensure correct fit.

Offeror Response:

[Click here to enter your response.](#)

Question 2:

Provide details on how your company will conform to the warranty requirements. (Scope 5.1)

Offeror Response:

[Click here to enter your response.](#)



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

Attachment 2-B
Organization Profile

STATE MAY DETERMINE YOUR PROPOSAL IS NON-RESPONSIVE IF YOU DO NOT ANSWER ALL QUESTIONS FULLY.

Firm Name	<input checked="" type="checkbox"/>	Year established	<input checked="" type="checkbox"/>	
Principal address (street, city, state)	<input checked="" type="checkbox"/>			
Entity type:	<input checked="" type="checkbox"/>	Structure:	<input checked="" type="checkbox"/>	
Branch or Division:	<input checked="" type="checkbox"/>	Parent:	<input checked="" type="checkbox"/>	
Years' experience providing goods similar in type and quantity as required by this Solicitation.			<input checked="" type="checkbox"/>	
Years' experience performing services similar in size and scope as required by this Solicitation.			<input checked="" type="checkbox"/>	
Years the organization has conducted business in the State of Arizona.			<input checked="" type="checkbox"/>	
Contract Representatives to Contact				
	Name	Title	Telephone Number	E-Mail Address
1.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Licenses/Certifications				
	Description	Issuer	Number	Expiration
4.				
5.				
6.				
7.				
8.				
9.				
10.				



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

Financial INFORMATION (attach financial statements with income/balance sheets as Supplements)

	Rating/Issuer	Score/Rank	Date
11			
12			
13			

Capacity

	Location	Work Performed	Number Staff	Capacity
14				
15				
16				
17				
18				

ATTACHMENT 2-B SUPPLEMENTS:

(Offeror to insert as required and list here or type "None" on first line)

	Title	Document Date	No. of pages	Purpose in Offer
19	Enter or type "None"	x	x	x
20	Enter or delete row if not needed			
21	Enter or delete row if not needed			
22	Enter or delete row if not needed			
23	Enter or delete row if not needed			
24	Enter or delete row if not needed			
25	Enter or delete row if not needed			

End of Attachment 2-B



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

**Attachment 3-A
 Method Proposal**

(Method of Approach)

Offer to provide sufficient information on how they will provide the required Gentex Helmets and Nomex Suits as outlined in the Scope.

Offeror Response:

[Click here to enter your response.](#)

ATTACHMENT 3-A SUPPLEMENTS:

(Offeror to insert as required and list here or type "None" on first line)

	Title	Document Date	No. of pages	Purpose in Offer
1.	Enter or type "None"	x	x	x
1.	Enter or delete row if not needed			
2.	Enter or delete row if not needed			
3.	Enter or delete row if not needed			
4.	Enter or delete row if not needed			
5.	Enter or delete row if not needed			
6.	Enter or delete row if not needed			

End of Attachment 3-A



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

Attachment 3-B
Key Personnel Proposal

Answer all questions thoroughly in the spaces provided. **Complete this form in full for each one of the key personnel proposed to be involved in carrying out the Work.** Insert or attach a separate resume if desired, but any attached resumes are supplemental to this form and do not substitute for this form.

1	Name:	<input checked="" type="checkbox"/>	How long with company?	<input type="text" value="x years"/>
	Current position:	<input checked="" type="checkbox"/>	How long in position?	<input type="text" value="x years"/>
	Position for the Contract:	<input checked="" type="checkbox"/>	How much of person's time will be dedicated to Contract?	<input type="text" value="x %"/>
	What primary Services functions will be assigned to this person?	<input checked="" type="checkbox"/>		
	Describe person's experience in performing services like those assigned:	<input checked="" type="checkbox"/>		



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

Arizona Department of
 Public Safety
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

List the personnel's job related training and education:	<input checked="" type="checkbox"/>
Resume:	filename

2	Name:	<input checked="" type="checkbox"/>	How long with company?	<input checked="" type="checkbox"/> years
	Current position:	<input checked="" type="checkbox"/>	How long in position?	<input checked="" type="checkbox"/> years
	Position for the Contract:	<input checked="" type="checkbox"/>	How much of person's time will be dedicated to Contract?	<input checked="" type="checkbox"/> %
	What primary Services functions will be assigned to this person?	<input checked="" type="checkbox"/>		
	Describe person's experience in performing services like those assigned:	<input checked="" type="checkbox"/>		



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

List the personnel's job related training and education:	<input checked="" type="checkbox"/>
Resume:	filename

3	Name: <input checked="" type="checkbox"/>	How long with company?	<input checked="" type="checkbox"/> years
	Current position: <input checked="" type="checkbox"/>	How long in position?	<input checked="" type="checkbox"/> years
	Position for the Contract: <input checked="" type="checkbox"/>	How much of person's time will be dedicated to Contract?	<input checked="" type="checkbox"/> %
	What primary Services functions will be assigned to this person? <input checked="" type="checkbox"/>		
	Describe person's experience in performing services like those assigned: <input checked="" type="checkbox"/>		



Invitation for Bid
Solicitation No.
BPM003095
Description:
**Gentex Helmets and
Nomex Suits**

**Arizona Department of
Public Safety**
2102 W. Encanto Blvd.,
Phoenix, Arizona 85009

List the personnel's job
related training and
education: x

Resume: filename



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

**Attachment 3-C
 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 copies of relevant certifications each one possesses in the Attachment Supplements section.
3. Provide description of quality assurance methods and quality control measures that you will use to ensure that Subcontractor work meets the Contract requirements.
4. 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	Work to be performed	%
1.	Name	select		
2.	Name	select		
3.	Name	select		
4.	Name	select		
5.	Name	select		
6.	Name	select		
7.	Name	select		
8.	Name	select		
9.	Name	select		
10.	Name	select		

End of Attachment 3-C



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

**Attachment 3-D
 Performance Guarantee**

Provide Offeror response to section 5.0 of Scope and in addition Offeror shall provide and explain in detail its proposed standard and industry service levels, key performance indicators or any other performance metrics.

Offeror shall submit proposed remedies for all performance standards not met as detailed in the scope.

ANNEXES TO THIS ATTACHMENT

- Annex 1 to Attachment 3-D Title
 - Annex 2 to Attachment 3-D Title
 - Annex 3 to Attachment 3-D Title
- None

ATTACHMENT 3-D SUPPLEMENTS:

(Offeror to insert as required and list here or type "None" on first line)

	Title	Document Date	No. of pages	Purpose in Offer
1.	Provide response to Scope Section Six: Performance Requirements	X	X	X
2.	Enter or delete row if not needed			
3.	Enter or delete row if not needed			
4.	Enter or delete row if not needed			
5.	Enter or delete row if not needed			
6.	Enter or delete row if not needed			
7.	Enter or delete row if not needed			

End of Attachment 3-D



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

Arizona Department of
 Public Safety
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

Attachment 4
 Pricing Document

Provide pricing for name brand Gentex Helmets and Nomex Flight Suits on the Attachment 4 Pricing spreadsheet.

ANNEXES TO THIS ATTACHMENT

- None

ATTACHMENT 4 SUPPLEMENTS:

(Offeror to insert as required and list here or type "None" on first line)

	Title	Document Date	No. of pages	Purpose in Offer
1.	Enter or delete row if not needed			
2.	Enter or delete row if not needed			
3.	Enter or delete row if not needed			
4.	Enter or delete row if not needed			
5.	Enter or delete row if not needed			
6.	Enter or delete row if not needed			
7.	Enter or delete row if not needed			

End of Attachment 4



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

**Attachment 5-A
 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":

<input type="checkbox"/>	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.
<input type="checkbox"/>	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.

<input checked="" type="checkbox"/>	<input type="checkbox"/>
Offeror Company Name	Signature of Authorized Person
<input checked="" type="checkbox"/>	<input type="checkbox"/>
Address	Printed Name
<input checked="" type="checkbox"/>	<input type="checkbox"/>



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

City

State

Zip

Title

ATTACHMENT 5-A SUPPLEMENTS:

(Offeror to insert as required and list here or type "None" on first line)

	Title	Document Date	No. of pages	Purpose in Offer
1.	Enter or type "None"	X	X	X
2.	Enter or delete row if not needed			
3.	Enter or delete row if not needed			
4.	Enter or delete row if not needed			
5.	Enter or delete row if not needed			
6.	Enter or delete row if not needed			
7.	Enter or delete row if not needed			

End of Attachment 5-A



Invitation for Bid
Solicitation No.
BPM003095
Description:
**Gentex Helmets and
Nomex Suits**

**Arizona Department of
Public Safety**
2102 W. Encanto Blvd.,
Phoenix, Arizona 85009

*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:*
1. *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;*
 2. *The designated information is not confidential; or*
 3. *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:*
1. *A request for review is not received by the state procurement administrator within the time period specified in the notice; or*
 2. *The state procurement administrator, after review, makes a written determination that the designated information is not confidential.*



Invitation for Bid
Solicitation No.
BPM003095
Description:
**Gentex Helmets and
Nomex Suits**

**Arizona Department of
Public Safety**
2102 W. Encanto Blvd.,
Phoenix, Arizona 85009

Attachment 5-B
Conformance Statements

STATE WILL NOT CONSIDER ANY EXCEPTIONS UNLESS DESIGNATED ON THIS FORM.

**READ PARAGRAPH 6.7 OF THE INSTRUCTIONS TO OFFERORS BEFORE TAKING ANY
EXCEPTIONS – TAKING EXCEPTIONS CAN BE GROUNDS FOR STATE REJECTING OR DOWN-
GRADING YOUR OFFER IN EVALUATION. PLEASE NOTE THAT “NO” EXCEPTIONS ARE
ALLOWED FOR AN IFB.**

CONFORMANCE TO THE INSTRUCTIONS:
(PART 1 OF THE SOLICITATION)

Check one of the following – if neither is checked, State will assume that as equivalent to “YES”:

YES – Offeror acknowledges that it has read and understands the Solicitation Details in Section 1-A of the Solicitation and the Instructions to Offerors in Section 1-B of the Solicitation and the and attests that its Offer complies with both.

NO – Offeror acknowledges that it has read and understands the Solicitation Details in Section 1-A of the Solicitation and the Instructions to Offerors in Section 1-B of the Solicitation, and attests that its Offer complies with both EXCEPT FOR the exceptions listed in **Attachment 5-B Supplement 1**.

CONFORMANCE TO THE TECHNICAL DOCUMENTS:
(PART 2 OF THE SOLICITATION)

Check one of the following – if neither is checked, State will assume that as equivalent to “YES”:

YES – Offeror acknowledges that it has read and understands the Scope of Work and the Commercial Document in Part 2 of the Solicitation and attests that its Offer complies with both.

NO – Offeror acknowledges that it has read and understands the Scope of Work and the Commercial Document in Part 2 of the Solicitation and attests that its Offer complies with both EXCEPT FOR the exceptions listed in **Attachment 5-B Supplement 2**.

CONFORMANCE TO THE CONTRACT TERMS AND CONDITIONS:
(PART 3 OF THE SOLICITATION)

Check one of the following – if neither is checked, State will assume that as equivalent to “YES”:

YES – Offeror acknowledges that it has read and understands the Special Terms and Conditions and the Uniform Terms and Conditions, along with their respective Exhibits and Appendices, in Part 3 of the Solicitation and attests that its Offer complies with both.

NO – Offeror acknowledges that it has read and understand the Special Terms and Conditions and the Uniform Terms and Conditions, along with their respective Exhibits and Appendices in Part 3 of the



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

Arizona Department of
 Public Safety
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

Attachment 5-C
Insurance and Bonding Evidence

Per Exhibit 1 to the Special Terms and Conditions, Certificate of Insurance.

Please note: **Please note that “no” Exceptions are allowed for an IFB.**

Procurement Officer may determine that your Offer is Not Susceptible for Award if it is conditioned on an exception to a material aspect of the Solicitation. Even if Procurement Officer determines that an exception is one that does not merit Not Susceptible for Award determination, he or she may down-grade your Offer in Evaluations if the exception is significant.

Offeror Response:

[Click here to enter your response.](#)

ATTACHMENT 5-C SUPPLEMENTS:

(Offeror to insert as required and list here or type “None” on first line)

	Title	Document Date	No. of pages	Purpose in Offer
8.	Enter or type “None”	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9.	Enter or delete row if not needed			
10.	Enter or delete row if not needed			
11.	Enter or delete row if not needed			
12.	Enter or delete row if not needed			
13.	Enter or delete row if not needed			
14.	Enter or delete row if not needed			

End of Attachment 5-C



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
 2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009

**Attachment 5-D
 Offer Checklist**


STATE MAY DETERMINE YOUR PROPOSAL IS NON-RESPONSIVE IF YOU DO NOT SUBMIT ALL ATTACHMENTS.

	DOCUMENT	SUBMITTED
1.	Attachment 1: Offer and Acceptance Form	<input type="checkbox"/> YES <input type="checkbox"/> no
2.	Attachment 2-A: Response to Scope Requirements	<input type="checkbox"/> YES <input type="checkbox"/> no
3.	Attachment 2-B: Organization Profile	<input type="checkbox"/> YES <input type="checkbox"/> no
4.	Attachment 3-A: Method Proposal	<input type="checkbox"/> YES <input type="checkbox"/> no
5.	Attachment 3-B: Key Personnel Proposal	<input type="checkbox"/> YES <input type="checkbox"/> no
6.	Attachment 3-C: Proposed Subcontractors	<input type="checkbox"/> YES <input type="checkbox"/> no
7.	Attachment 3-D: Performance Guarantee	<input type="checkbox"/> YES <input type="checkbox"/> no
8.	Attachment 4: Pricing Document	<input type="checkbox"/> YES, <input type="checkbox"/> no
9.	Attachment 5-A: Confidential Information Designation	<input type="checkbox"/> YES <input type="checkbox"/> no
10	Attachment 5-B: Conformance Statements	<input type="checkbox"/> YES <input type="checkbox"/> no
11	Attachment 5-C: Insurance and Bonding Evidence	<input type="checkbox"/> YES <input type="checkbox"/> no
12	Attachment 5-C: Offer Checklist	<input type="checkbox"/> YES <input type="checkbox"/> no
13	Attachment 6: Participation if Boycott of Israel	<input type="checkbox"/> YES <input type="checkbox"/> no

End of Attachment 5-D

End of Section 1-C

End of Part 1

	<p style="text-align: center;">Invitation for Bid Solicitation No. BPM003095 Description: Gentex Helmets and Nomex Suits</p>	<p style="text-align: center;">Arizona Department of Public Safety 2102 W. Encanto Blvd., Phoenix, Arizona 85009</p>
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Attachment 6: 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:

- 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.
- The Company submitting this Offer **does** participate in a boycott of Israel as described in A.R.S. §§35-393 et seq.
- Exempt Solicitation, Contract, or Contractor.**

Indicate which of the following statements applies to this Contract:



Invitation for Bid
 Solicitation No.
BPM003095
 Description:
**Gentex Helmets and
 Nomex Suits**

**Arizona Department of
 Public Safety**
**2102 W. Encanto Blvd.,
 Phoenix, Arizona 85009**

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

 Company Name

 Signature of Person Authorized to Sign

 Address

 Printed Name

 City State Zip

 Title