

PENNSYLVANIA LIQUOR CONTROL BOARD

INVITATION FOR BID #270010

BEVERAGE ALCOHOL SMALL PACKAGE DELIVERY

OVERVIEW

The Pennsylvania Liquor Control Board (PLCB) is seeking a Contractor to furnish ground delivery of beverage alcohol small packages within Pennsylvania from origination points also within the Commonwealth of Pennsylvania.

ISSUING OFFICE

This Invitation for Bid (IFB) is issued by the PLCB, Purchasing and Contract Administration Division, Room 312, Northwest Office Building, 910 Capital Street, Harrisburg, PA 17124-0001. Email: treadinger@pa.gov. Tanya Readinger is the Issuing Officer and the sole point of contact at the PLCB for this IFB.

PLCB CONTRACTING OFFICER

The PLCB Contracting Officer is the PLCB official authorized to enter into and administer contracts and make written determinations with respect to contracts. The PLCB Contracting Officer is Melinda John, Manager of Purchasing and Contract Administration, Room 312, Northwest Office Building, 910 Capital Street, Harrisburg, PA 17124-0001, Email: meljohn@pa.gov.

PLCB CONTACT PERSON

The PLCB Contact Person, defined as the PLCB employee charged with the day-to-day supervision of the performance of the services and who interacts with the Contractor is anticipated to be PLCB's E-Commerce Director, and contact information will be provided upon Notice to Proceed.

CONTRACTOR CONTACT PERSON

The Bidder shall provide the PLCB with a single point of contact for all Contract related questions or problems. Immediately upon notification of award, the selected Bidder shall provide the PLCB with the name, address, email address, telephone number and facsimile number of this individual.

QUESTIONS

Questions regarding this IFB must be submitted via email only, with the subject line entitled "IFB # 270010 Questions" to the Issuing Officer, Tanya Readinger, at Treadinger@pa.gov no later than **12:00 p.m. on March 10th, 2023**. The Bidder shall not attempt to contact the Issuing Officer by any other means.

All questions received will be answered, in writing, and such responses shall be posted to the Department of General Services ("DGS") website at www.emarketplace.state.pa.us and to the

PLCB's online self-service Oracle Supplier Portal ("Portal") as an addendum to the IFB by **C.O. B. on March 17th, 2023.**

All questions and official responses are considered an addendum to, and part of, this IFB. The PLCB shall not be bound by any verbal information, nor shall it be bound by any written information that is not either contained within the IFB or formally issued as an addendum by the Issuing Office. The Issuing Office does not consider questions to be a protest of the specifications or of the solicitation.

ADDENDA TO THE IFB

If the Issuing Office deems it necessary to revise any part of this IFB before the bid response date, the Issuing Office will post an addendum to the DGS website at www.emarketplace.state.pa.us as well as posting within the Portal. **It is the Bidder's responsibility to periodically check either system for any new information or addenda to the IFB. When an addendum is posted to the portal, Bidders who have already submitted a bid will receive a system-generated email notification alerting them to the change. The Bidder must log into the Portal to review and acknowledge the Addendum in order to have their bid considered. Failure to review and acknowledge the Addendum will be considered a non-responsive bid and result in bid rejection.**

RESPONSE DATA

Bidders will submit their bids through the Portal. **ATTACHMENT #1 – Bid Form BOP-1206** must be signed in ink by an official authorized to bind the Bidder to its provisions. **Failure to sign the Bid Form BOP-1206 shall disqualify your bid immediately.** All applicable bid documents must be uploaded through the Portal. For this IFB, the bid must remain valid for at least sixty days. The contents of the bid of the successful Bidder will be incorporated into the contract. See the **Supplier Registration** section below for more information on accessing the Portal and registering as a Supplier.

To be considered, submit your bid through the Portal on or before **12:00 PM on March 29th, 2023.** Bids not received on time shall be rejected. **ALL BIDS MUST BE SUBMITTED THROUGH THE PORTAL. EMAIL AND HARD COPY BIDS WILL NOT BE ACCEPTED.**

The following documents must be included with your bid. Failure to include these required documents will be considered a non-responsive bid and result in bid rejection.

1. Attachment #1 - BOP-1206	Referenced on Page 2
2. Attachment #3 – BOP-2201	Referenced on Page 3
3. Transporter-for-Hire License (If currently held)	Referenced on Page 6
4. Price Catalogue	Referenced on Page 8
5. Percentage Discount List on Company Letterhead	Referenced on Page 8

SAMPLE COST SHEET

ATTACHMENT #2 – SAMPLE COST SHEET has been attached to show Bidders in more detail what is required to submit a complete bid. Line-item pricing must be submitted through the Portal in its entirety with no variations or conditions. No other forms of pricing will be accepted.

WORKER PROTECTION AND INVESTMENT EXECUTIVE ORDER

This procurement is subject to Executive Order 2021-06 Worker Protection and Investment. Bidders must complete **ATTACHMENT #3 – BOP-2201 Worker Protection and Investment Certification Form** and submit with the bid.

BID TABULATIONS RESULTS

Results of this bid will be posted within 48 hours to the DGS website at <http://www.emarketplace.state.pa.us/>. Any additional information will require a Right to Know request, instructions for which may be found at: <http://www.openrecords.pa.gov/RTKL/CitizensGuide.cfm>.

Bid results do not confer any legal or contractual rights until a formal Notice to Proceed has been issued by the Issuing Officer.

REJECTION OF INVITATION FOR BID QUOTES

The PLCB reserves the unqualified right to reject any and/or all bids received as a result of this IFB, to waive technical defects or any informality in bids and to accept or reject any part of any bid if, in its judgment, the best interest of the Commonwealth is thereby served.

TERM OF CONTRACT

The Contract shall commence on the Effective Date, which will be defined in the Notice to Proceed and reflects the last date on which all required Commonwealth approvals are received and will continue for one year from the Effective Date. The PLCB reserves the right to renew this Contract for up to four additional years in single or multiple yearly options at its sole discretion.

METHOD OF AWARD

This single award contract will be awarded to the lowest responsive and responsible Bidder as determined by the Total Cost, their price spreadsheet and percentage discount (percentage off list price) that meets the requirements and criteria set forth in this IFB.

TERMS AND CONDITIONS

The Contract resulting from this IFB shall be governed by the PLCB's Standard Contract Terms and Conditions for Non-Merchandise Purchase Orders (Form 54-FA-2.0). Form 54-FA-2.0 is attached hereto as **ATTACHMENT # 4 - Form 54-FA-2.0** and incorporated by reference.

INCURRING COST

The PLCB is not liable for any cost incurred by anyone prior to issuance of a Contract. The PLCB will pay the Bidder for services rendered and goods accepted only at the rates set forth in the Contract.

OFFSET PROVISION

The Bidder agrees that the Commonwealth may set off the amount of any state tax liability or other debt or obligation to the Commonwealth or its subsidiaries that is owed to the Commonwealth and is not being contested on appeal against any payments due the Bidder under this or any other contract with the Commonwealth.

SUPPLIER REGISTRATION

Bidders will be required to register in the Portal as a "Non-Merchandise" supplier of goods and services. During the registration process, every supplier will be required to complete a questionnaire to verify their supplier type (Merchandise or Non-Merchandise). Every supplier will also be required to enter the details of the "PLCB Purchasing team Contact Person". This information can be found in the "Issuing Office" section on **Page 1 of this IFB**.

Registration must be completed before a bid can be submitted or a Purchase Order (PO) fully executed. Information on how to register and related training can be found by clicking the link below. ***(Please Note: A PLCB Supplier number will NOT be immediately generated upon submission of registration. The request will be processed within 3-5 business days from date received. It is recommended that Bidders allow sufficient time to register before the bid deadline).***

<https://www.lcb.pa.gov/JoinOurTeam/Pages/ERP-Resources-for-Goods-and-Services-Suppliers.aspx>

After registration, Bidders will use the Portal to manage and update account information, upload and view invoices, view and acknowledge purchase orders and related documents, view payment information and track payment status.

It is the Bidder's responsibility to ensure that the supplier information contained in the Portal is accurate and complete. **Failure to update the Portal of any changes to supplier information may result in delayed payments.**

INVOICING

Upon award, a Contract Purchase Agreement (CPA) will be issued to the selected Bidder with a lump sum of funding.

The selected Bidder will be required to submit a single weekly invoice referencing the CPA number, in addition to detailing shipments for all pickup locations (detailed by pickup location account numbers) and charges, including accessorial charges and any product or deliveries lost or damaged by the selected Bidder to the PLCB Contact Person. Following invoice validation, the PLCB Contact Person will forward the invoice(s) to Accounts Payable for processing.

PAYMENT

- a. The PLCB shall put forth reasonable efforts to make payment of undisputed amounts billed, less applicable credits, within 30 days of receipt of a proper invoice. A “proper” invoice is not received until it has been validated by the PLCB Contact person and submitted to Accounts Payable for processing.
- b. The PLCB will make contract payments through Automated Clearing House (ACH).
 - 1) Within 10 days of award of the contract the selected Bidder must submit or must have already submitted their ACH information within their user profile in the Portal.
 - 2) The selected Bidder must submit a unique invoice number with each invoice submitted. The unique invoice number will be listed on the PLCB’s ACH remittance advice to enable the Bidder to properly apply the State agency’s payment to the invoice submitted.
 - 3) It is the responsibility of the selected Bidder to ensure that the ACH information contained in the Portal is accurate and complete. Failure to maintain accurate and complete information may result in delays in payment.

PAYMENT INQUIRIES/QUESTIONS

Any question or inquiries concerning payment of invoices shall be emailed to Comptroller Operations at: RA-PLCBExceptionProcess@pa.gov.

IFB #270010

BEVERAGE ALCOHOL SMALL PACKAGE DELIVERY

STATEMENT OF WORK

CONTRACT SCOPE/OVERVIEW

This contract will cover the requirements of the Pennsylvania Liquor Control Board (PLCB) for ground delivery of beverage alcohol small packages within Pennsylvania from origination points also within the Commonwealth of Pennsylvania.

LICENSE REQUIREMENTS

A. As required by the Pennsylvania Liquor Code, Bidder must hold a valid and current Class A or Class C transporter-for-hire license, which authorizes the possession and transport of alcohol purchased by others. Such a license must already be obtained or be applied for within 14 calendar days of Notice to Proceed.

1. *Transporter-for-Hire Class A (IA) License:* Available to a reputable person or firm; authorizes the holder to engage in the commercial transportation of alcohol, liquor and/or malt and brewed beverages to and from points in Pennsylvania.

Fees: \$265 first-year's license fee (prorated quarterly), plus \$700 filing fee
\$265 renewal fee (not prorated), plus \$30 filing fee

2. *Transporter-for-Hire Class C (IU) License:* Available to a reputable person or firm that maintains a fleet of vehicles primarily engaged in general parcel consignments within Pennsylvania; authorizes the holder to engage in the commercial transportation of liquor parcels within Pennsylvania.

Fees: \$265 first-year's license fee (not prorated), plus \$700 filing fee
\$265 renewal fee (not prorated), plus \$30 filing fee

A single transporter-for-hire license of either class covers an unlimited number of vehicles operated by the licensee.

State regulations governing transporter-for-hire licenses can be found in [Chapter 9 of Title 40 of the Pennsylvania Code](#). Individuals or entities considering licensure as a transporter-for-hire are encouraged to seek private legal counsel experienced in Pennsylvania liquor law and licensing matters. Due to the potential for conflicts of interest or other appearances of impropriety, the PLCB cannot provide legal advice to Bidders.

Instructions on how to obtain a license, if not currently held, can be found by visiting www.lcb.pa.gov, then clicking Licensing, PLCB+. The time frame to obtain this license is approximately one week. The PLCB is not responsible for any costs of such licensure.

Bidders who already hold a valid Transporter-for-Hire license shall include a copy of the license in their bid as referenced on **Page 2 of this IFB**.

- B. The storage of alcohol in Pennsylvania is illegal without the proper license issued from the PLCB. If the Bidder cannot complete pickup and delivery within the same calendar day, it must store the product pursuant to a bailee-for-hire license. A bailee-for-hire license permits the holder to store lawfully procured alcohol in a warehouse or other storage facility maintained by the licensee.

Fees: \$700 filing fee
 \$30 renewal fee

DELIVERY REQUIREMENTS

- A. Bidder shall pick up beverage alcohol packages from designated locations within the Commonwealth of Pennsylvania and deliver them to specific locations in the Commonwealth. Pickup locations (to be designated by specific account numbers by the Bidder) will primarily be the PLCB's e-commerce fulfillment center (East Greenville, Montgomery County), but may be expanded to up to approximately 600 pickup locations including Fine Wine & Good Spirits stores, Licensee Service Centers and distribution centers (third-party warehouses) in Pennsylvania.
- B. The PLCB requires the Bidder to provide an internet-accessible automated system to track packages, confirm receipt, and report lost and damaged packages. Tracking information must include Bidder acknowledgement of pickup and delivery notification. The Bidder must maintain sufficient pickup and delivery records to answer any PLCB inquiry.
- C. PLCB will provide all packing materials and boxes. Bidder will not be responsible for providing any such materials.
- D. Regular pickup services are required Monday through Friday 8:00 a.m. to 5:00 p.m. at the offered rates except for on Bidder-identified holidays. The PLCB reserves the right to request additional service windows on weekends, Bidder holidays and additional hours as business needs may dictate, and such requests will be made at least two weeks in advance.
- E. There shall be no pickup charge. There shall be no minimum number of packages per trip, per day, per week, or per month.
- F. Deliveries may only be made after Bidder, or its agent, confirms the person receiving the shipment is 21 years of age or older. Packages may not be dropped off or delivered unattended or without visual identification of the recipient.
- G. The PLCB will not pay for deliveries lost or damaged by the Bidder, and the Bidder must compensate the PLCB for the cost of all products lost or damaged by the Bidder.

DELIVERY DOCUMENTATION

Upon request, the Bidder shall furnish delivery documentation to PLCB for any specified delivery.

LATE DELIVERY

Bidder shall guarantee delivery schedules and times. Bidder shall provide details of their guarantees with their bids. The PLCB shall not be required to pay for packages delivered late as per the Bidder's stated guarantee terms.

PACKAGE INSURANCE REQUIREMENTS

Each package shall be automatically insured for \$100.00. If a higher value is declared on the bill of lading, the PLCB shall have the option of purchasing additional insurance up to a set maximum specified by the Bidder. The Bidder shall provide details and pricing with their bid.

PRICING

Zone-based pricing for services must include, but not limited to, the following ground shipments within Pennsylvania:

- A.** Next Day Ground – High Volume Rate
- B.** Next Day Ground – Low Volume Rate
- C.** 3 Day Ground – High Volume Rate
- D.** 3 Day Ground – Low Volume Rate
- E.** 5 Day Ground – High Volume Rate
- F.** 5 Day Ground – Low Volume Rate

Bidders will be required to upload a copy of their pricing catalogue with their bid. In addition, Bidders will be required to submit with their bid their total percentage discount on Company Letterhead. Any discount price given per zone will apply to all package weights within that zone. The Bidder may not bill or charge a higher price than provided on the price spreadsheet. Bidder may not charge any other fees from those included on the price spreadsheet. At no time may a Bidder unilaterally change the services or prices of the contract or bill for any services/prices that are not part of the contract.

Pricing shall be fixed for the first year of the contract. The PLCB, in its sole discretion, may permit price adjustments on an annual basis or upon renewal if the Bidder provides legitimate justification indicating increases in the Bidder's operating expenses, taxes, labor, etc. Written request for a price increase must be submitted to the PLCB sixty days prior to the end of the contract term or renewal period. The percentage discount from published rates shall remain fixed for the term of this contract and any renewals unless increased upon mutual agreement of the parties.

GROUND FUEL SURCHARGE

Bidder may add a fuel surcharge to the prices provided in their bid. The applicable fuel surcharge will be determined based on the Weekly US Regular Gasoline Prices for the Central Atlantic Region as noted on the Energy Information Administration [website for Gasoline and Diesel Fuel Updates](#). The fuel surcharge rate may not exceed a rate of seven percent above a starting price per gallon of gasoline of \$4.00 during the term of this contract.

If the Weekly US Regular Gasoline Prices for the Central Atlantic Region fall below \$4.00 per gallon, no fuel surcharge may be applied.

The PLCB must be able to confirm accuracy of invoices by accessing Bidder’s website for fuel surcharge information. Bidder’s website must update fuel surcharge information on a monthly basis and provide historical fuel surcharge information.

HISTORICAL USAGE DATA

Although historical data is no guarantee of future volume, immediately below is an annual summary of all packages shipped from the PLCB’s e-commerce distribution center, located at 668 Gravel Pk, East Greenville, to addresses in Pennsylvania for the calendar year 2022.

Monthly Shipment Detail for FW&GS E-Commerce Fulfillment Center for 2022

MONTH	# OF PACKAGES	PACKAGE BILLED WEIGHT (LBS.)	BILLED WEIGHT PER PIECE
Jan-22	10,750	176,423	16.4
Feb-22	11,651	178,860	15.4
Mar-22	11,522	212,056	18.4
Apr-22	8,455	145,520	17.2
May-22	8,485	162,400	19.1
Jun-22	9,212	153,550	16.7
Jul-22	12,018	195,100	16.2
Aug-22	9,834	156,297	15.9
Sep-22	11,291	196,226	17.4
Oct-22	9,863	171,353	17.4
Nov-22	8,017	171,298	21.4
Dec-22	16,187	288,232	17.8
TOTAL	127,285	2,207,315	209.3

Additionally, **APPENDIX A** provides monthly order and unit information by ZIP code for the months between July 2021 and June 2022.

REPORTING REQUIREMENTS

Bidder shall provide monthly summary reports by the 15th of each month in Excel format with the following information:

- Type and Level of Service
- Weight
- Number of Packages
- Spend
- Returns
- Damages
- Gross Spend
- Net Spend