



ORIGINAL
BID - Invitation For Bid
SEVC, FF&E, Domestic Appliances

BID Effective Date:

03/21/2012

Bid Invitation Number:

6100021563

Issuing Office:

Victoria Lengel
 Commonwealth of Pennsylvania
 US

Supplier Name/Address:

Your SAP Vendor Number with us: _____

Please Return Quotation to:

Commonwealth of Pennsylvania
 US

Type of Security furnished if required:

- Certified bank cashier's check
- Irrevocable letter of credit
- Certificate of deposit
- Other as specified by bid
- Bond - If annual bond:
 What is the name of the principal on the bond?

Return Bid by:

Bid Ending Date:
 04/03/2012

Bid Ending Time:
 14:00:00

Please Deliver To:

Southeastern Veterans Center
 One Veterans Drive
 Spring City PA 19475 US

Procurement Contact:

Buyer: Victoria Lengel
 Phone: 717-861-8579
 Fax: 717-861-2932

Expiration Date of Contract (if applicable)

Delivery Date:
 See Items

This Invitation For Bids is comprised of: Part I, General Information; Part II, Bid Requirements; Part III, Criteria For Selection; Part IV, IFB Specifications; Part V, Contract Clauses; any documents attached to this Invitation For Bids or incorporated by reference; and any addenda issued by the Issuing Office prior to Bid Opening.

Supplier's Signature _____ Title _____
 Printed Name _____ Date _____

The Bidder has completed and submitted this Bid in accordance with the instructions and requirements and terms and conditions of the Invitation For Bid. The Bidder has attached documents that are required to be submitted with this Bid and those attachments are incorporated by reference and made a part of this Bid. The Bidder, intending to be legally bound hereby, offers and agrees, if this Bid is accepted, to provide the awarded items at the price(s) set forth in this Bid at the time(s) and place(s) specified.

Item	Material/Service Desc	Qty	UOM	Unit Price	Total Line Item Price
1	GE Spacemaker Compact Refrigerator Item Text	9.000	Each	\$ _____	\$ _____

ALL PRICES ARE F.O.B. DESTINATIONS

List of Items Continued on Following Page



ORIGINAL
BID - Invitation For Bid
SEVC, FF&E, Domestic Appliances
 Original Approval Date: 03/19/2012

Supplier Name: _____

Item	Material/Service Desc	Qty	UOM	Unit Price	Total Line Item Price
	GE Spacemaker Compact Refrigerator or approved equal Overall Capacity: 6.0 Cu Ft Color: Black FEATURES Interior light & 2 wire cabinet shelves Two mini Ice N Easy Trays Two fresh food door shelves Energy Star Qualified Energy Guide Rated DIMENSIONS AND CAPACITY Depth w/Door Open 90 Degrees: 45.5" Depth w/o Handle: 24.25" Freezer Capacity (Cu Ft): .5 Height to Top of Case: 34" Overall Capacity (Cu Ft): 6 Width w/Door Closed: 23.62" Electromechanical General Warranty 1 yr limited parts & labor				
2	KitchenAid Model KBFS25EWMS Refrigerator Item Text	8.000	Each	\$ _____	\$ _____

ALL PRICES ARE F.O.B. DESTINATIONS

List of Items Continued on Following Page



ORIGINAL
BID - Invitation For Bid
SEVC, FF&E, Domestic Appliances
 Original Approval Date: 03/19/2012

Supplier Name: _____

Item	Material/Service Desc	Qty	UOM	Unit Price	Total Line Item Price
	KitchenAid Model KBFS25EWMS Refrigerator or approved equal Standard-Depth, French Door, 24.8 cu. ft., 35 5/8" Width, Architect Series II, Monochromatic Stainless Steel Freezer Capacity: 7.3 Cu.Ft. Refrigerator Capacity: 17.5 Cu.Ft. Total Capacity: 24.8 Cu.Ft. Dispenser Type: Internal Max Cool Control Type: Digital Controls Defrost System: Adaptive FREEZER FEATURES Basket 1 Description: Upper Wire Freezer Basket Number of Baskets: 1 Basket 2 Description: Lower Wire Freezer Basket REFRIGERATOR FEATURES Drawer 1: Crisper Pan Door Bin Quantity: 3 Door Bin 2 Quantity: 2 Total Shelves: 4 DIMENSIONS Depth w/Door Open 90 Degree: 48 1/8" Height to Top of Cabinet: 68 7/8" ELECTRICAL 15 Amps. 60Hz. 120V.				
3	Sears #02649032000 Kenmore Washer Item Text	4.000	Each	\$ _____	\$ _____

ALL PRICES ARE F.O.B. DESTINATIONS

List of Items Continued on Following Page



Supplier Name: _____

Item	Material/Service Desc	Qty	UOM	Unit Price	Total Line Item Price
	Sears #02649032000 Kenmore Washer or approved equal Model# 4903 High Efficiency 3.5 cu.ft. Capacity Front-Load Washer Depth with Door Closed (in.): 31.85 Depth with Door Open (in.): 50.8 Height to Top of Cabinet: 38.3 Washer Interior Size: Less than 4 cu. ft. Weight(lbs): 182 Width (in.): 27 ADA Approved NOTE: Washers shall comply with ADA Standards. Washers-front load with controls located on front.				
4	Sears #02689032000 Kenmore Dryer Item Text Sears #02689032000 Kenmore Dryer or approved equal 7.3 cu. ft. capacity, Model # 89032, Front-Load Dimensions: Depth with Door Closed (in.): 33 Depth with Door Open (in.): 50.8 Dryer Interior Size: 7.0 cu. ft. & greater Height to Top of Cabinet: 38.23 Height to Top of Control Panel: 38 ADA Approved NOTE: Dryers shall comply with ADA standards-front load with controls located on front NOTE: Vent shall be located on back, bottom & center of dryer	4.000	Each	\$ _____	\$ _____

General Requirements for all Items:

Header Text

Our Agency invites you to bid on the enclosed Invitation for Domestic Appliances as per specifications to be delivered to the Southeastern Veterans Home in Spring City, PA -

ALL PRICES ARE F.O.B. DESTINATIONS

List of Items Continued on Following Page



ORIGINAL
BID - Invitation For Bid
SEVC, FF&E, Domestic Appliances
Original Approval Date: 03/19/2012

Page 5 of 10

Supplier Name: _____

This invitation for Bid is comprised of the following documents:

1. Invitation for Bid
2. Bidder Information Sheet
3. Reciprocal Limitations Act Requirements
4. Bidding Preference for Products with Recycled Material
5. Contract Compliancy Policy
6. Non-Discrimination Clause
7. EEO Poster
8. Terms and Conditions

General Conditions and Instructions for Bidders (STD-203) & Standard Purchase Order Terms & Conditions (STD-274) can be reviewed on the DGS website (www.dgs.state.pa.us). If you do not have access to this website, please contact us and we will provide you with a copy of these documents.

Please ensure that you have read the documents listed above and complete the following: (Type or complete bids in ink. Bids that are priced or signed in pencil will be rejected).

1. Invitation for Bid (Remember to sign your bid. Unsigned bids will be rejected.)
2. Bidder Information Sheet
3. Reciprocal Limitations Act Requirements
4. Bidding Preference for Products with Recycled Material (if applicable)

Failure to complete and return these items may result in the rejection of your bid. Return all completed documents no later than 2:00 p.m. on Tuesday, April 3, 2012 to:

Department of Military & Veterans Affairs
Office of Administration
Procurement & Contracting Office
Building 0-47 Fisher Avenue
Fort Indiantown Gap
Anville, PA 17003-5002

When mailing your bid, place the Bid Number on the lower left corner of the envelope. (FAXED BIDS WILL NOT BE ACCEPTED).

All bids, except electronic, must be submitted in a sealed envelope, with the bid number, opening date and time noted on the outside of the envelope. If a bid is not received by the bid opening date and time, the Department will not consider the bid for award. The commonwealth reserves the right to reject any and all bids, to waive technical defects or any informality in bids, and to accept or reject any part of any bid if the best interests of the Commonwealth are thereby served.

The electronic bid package is available for registered Commonwealth of PA vendors at www.pasupplierportal.state.pa.us. If you need assistance accessing this information, please contact help desk at 1-877-435-7363. If you experience difficulties acquiring the electronic bid package, please contact Victoria Lengel at 717-861-8579 or e-mail vlengel@state.pa.us for a hard copy of the bid package.

Please ensure that all attributes on pages 7, 8, 9 & 10 of this bid are completed and returned with the bid. Bids that are submitted without completed attributes will be considered non-responsive and will be rejected.

The items listed in this bid represent a specific requirement of the Department. Substitutions will only be accepted for the make, model,

ALL PRICES ARE F.O.B. DESTINATIONS

List of Items Continued
on Following Page



ORIGINAL
Page 7 of 10
BID - Invitation For Bid
SEVC, FF&E, Domestic Appliances
Original Approval Date: 03/19/2012

Supplier Name: _____

*** Attributes Page ***

*** No further information for this bid ***

Mandatory ATTRIB. #001 - 1. HAS THE SUBMITTER READ, AND DOES THE SUBMITTER UNDERSTAND, THE TERMS AND CONDITIONS OF THIS SOLICITATION?

Response:

Mandatory ATTRIB. #002 - 2. IS THE OFFER IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THIS SOLICITATION?

Response:

Mandatory ATTRIB. #003 - 3. DO ALL ITEMS OFFERED BY SUBMITTER CONFORM TO THE SPECIFICATIONS OF THIS SOLICITATION?

Response:

Mandatory ATTRIB. #004 - 4. WERE THE PRICE(S) AND AMOUNT ARRIVED AT INDEPENDENTLY AND WITHOUT CONSULTATION, COMMUNICATION OR AGREEMENT WITH ANY OTHER CONTRACTOR, SUBMITTER OR POTENTIAL SUBMITTER?

Response:

Mandatory ATTRIB. #005 - 5. WERE THE PRICE(S), AMOUNT, APPROXIMATE PRICE(S) OR THE APPROXIMATE AMOUNT DISCLOSED TO ANY FIRM OR PERSON WHO IS A SUBMITTER OR POTENTIAL SUBMITTER?

Response:

Mandatory ATTRIB. #006 - 6. WAS AN ATTEMPT MADE TO INDUCE ANY FIRM OR PERSON TO REFRAIN FROM RESPONDING TO THE SOLICITATION?

Response:

Mandatory ATTRIB. #007 - 7. WAS AN ATTEMPT MADE TO INDUCE ANY FIRM OR PERSON TO SUBMIT AN OFFER HIGHER THAN THE SUBMITTER'S OFFER?

Response:

Mandatory ATTRIB. #008 - 8. WAS AN ATTEMPT MADE TO INDUCE ANY FIRM OR PERSON TO SUBMIT ANY OTHER FORM OF COMPLEMENTARY OFFER?

Response:

Mandatory ATTRIB. #009 - 9. DID THE SUBMITTER MAKE THE OFFER IN GOOD FAITH?

Response:



Supplier Name: _____

*** Attributes Page ***

Mandatory ATTRIB. #010 - 10. IS A GOVERNMENTAL AGENCY INVESTIGATING THE SUBMITTER, ITS AFFILIATES, SUBSIDIARIES, OFFICERS, DIRECTORS OR EMPLOYEES? IF YES, PROVIDE EXPLANATION IN COMMENT FIELD OR AS AN ATTACHMENT.

Response:

Mandatory ATTRIB. #011 - 11. IN THE LAST 4 YEARS, WAS THE SUBMITTER OR ITS EMPLOYEES FOUND LIABLE FOR CONSPIRACY OR COLLUSION RELATED TO ANY PUBLIC CONTRACT? IF YES, PROVIDE EXPLANATION IN COMMENT FIELD OR AS AN ATTACHMENT.

Response:

Mandatory ATTRIB. #012 - 12. IN THE LAST 4 YEARS, WAS THE SUBMITTER'S AFFILIATES OR SUBSIDIARIES FOUND LIABLE FOR CONSPIRACY RELATED TO ANY PUBLIC CONTRACT? IF YES, PROVIDE EXPLANATION IN COMMENT FIELD OR AS AN ATTACHMENT.

Response:

Mandatory ATTRIB. #013 - 13. IN THE LAST 4 YEARS, WAS THE SUBMITTER'S AFFILIATES OR SUBSIDIARIES FOUND LIABLE FOR COLLUSION RELATED TO ANY PUBLIC CONTRACT? IF YES, PROVIDE EXPLANATION IN COMMENT FIELD OR AS AN ATTACHMENT.

Response:

Mandatory ATTRIB. #014 - 14. IN THE LAST 4 YEARS, WAS THE SUBMITTER'S OFFICERS OR DIRECTORS FOUND LIABLE FOR CONSPIRACY RELATED TO ANY PUBLIC CONTRACT? IF YES, PROVIDE EXPLANATION IN COMMENT FIELD OR AS AN ATTACHMENT.

Response:

Mandatory ATTRIB. #015 - 15. IN THE LAST 4 YEARS, WAS THE SUBMITTER'S OFFICERS OR DIRECTORS FOUND LIABLE FOR COLLUSION RELATED TO ANY PUBLIC CONTRACT? IF YES, PROVIDE EXPLANATION IN COMMENT FIELD OR AS AN ATTACHMENT.

Response:

Mandatory ATTRIB. #016 - 16. DID SUBMITTER VIOLATE ANY OF THE CONTRACTOR INTEGRITY PROVISIONS IN CONNECTION WITH THE SUBMISSION OF ITS OFFER OR ANY CONTRACT NEGOTIATIONS?

Response:

Mandatory ATTRIB. #017 - 17. IN THE LAST 4 YEARS, HAS SUBMITTER'S OFFICERS, DIRECTORS, ASSOCIATES, PARTNERS, OR INDIVIDUAL OWNERS BEEN CHARGED WITH, OR CONVICTED OF, ANY MISDEMEANOR OR FELONY? IF YES, PROVIDE INFORMATION IN THE COMMENT FIELD OR AS AN ATTACHMENT.

Response:



ORIGINAL
BID - Invitation For Bid
SEVC, FF&E, Domestic Appliances
Original Approval Date: 03/19/2012

Page 9 of 10

Supplier Name: _____

*** Attributes Page ***

Mandatory ATTRIB. #018 - 18. IS THE SUBMITTER CURRENTLY UNDER SUSPENSION BY THE FEDERAL GOVERNMENT OR ANY STATE OR LOCAL GOVERNMENT? IF YES, PROVIDE EXPLANATION IN COMMENT FIELD OR AS AN ATTACHMENT.

Response:

Mandatory ATTRIB. #019 - 19. IS THE SUBMITTER CURRENTLY DEBARRED BY THE FEDERAL GOVERNMENT OR ANY STATE OR LOCAL GOVERNMENT? IF YES, PROVIDE EXPLANATION IN COMMENT FIELD OR AS AN ATTACHMENT.

Response:

Mandatory ATTRIB. #020 - 20. DO OFFERED ITEMS MEET EPA-ESTABLISHED MINIMUM PERCENTAGE LEVELS FOR TOTAL RECYCLED CONTENT AND POST-CONSUMER RECYCLED CONTENT? IF NO, PROVIDE EXPLANATION IN COMMENT FIELD OR AS AN ATTACHMENT.

Response:

Mandatory ATTRIB. #021 - 21. DOES THE SUBMITTER HAVE ANY DELINQUENT OBLIGATIONS TO THE COMMONWEALTH NOT BEING CONTESTED ON APPEAL? IF YES, PROVIDE EXPLANATION IN COMMENT FIELD OR AS AN ATTACHMENT.

Response:

Mandatory ATTRIB. #022 - 22. DOES THE SUBMITTER UNDERSTAND THAT ALL INFORMATION SUBMITTED AND REPRESENTATIONS MADE ARE MATERIAL AND WILL BE RELIED UPON BY THE COMMONWEALTH IN AWARD?

Response:

Mandatory ATTRIB. #023 - 23. DOES THE SUBMITTER UNDERSTAND THAT ANY FALSE STATEMENT THAT SUBMITTER DOES NOT BELIEVE TO BE TRUE OR ANY WRITING, SAMPLE, SPECIMEN, MAP OR OTHER OBJECT THAT SUBMITTER KNOWS TO BE FALSE SHALL BE PUNISHABLE UNDER SECTION 4904 OF TITLE 18 PA. C. S?

Response:

Mandatory ATTRIB. #024 - 24. DOES THE SUBMITTER AUTHORIZE A COMMONWEALTH AGENCY TO RELEASE SUBMITTER'S, TAX INFORMATION TO ANY CONTRACTING COMMONWEALTH AGENCY?

Response:

Mandatory ATTRIB. #025 - 25. DOES THE SUBMITTER AGREE THAT THE OFFER SUBMITTED ELECTRONICALLY THROUGH THE COMMONWEALTH'S SYSTEM SHALL BE DEEMED SIGNED BY THE SUBMITTER.

Response:



ORIGINAL
BID - Invitation For Bid
SEVC, FF&E, Domestic Appliances
Original Approval Date: 03/19/2012

Page 10 of 10

Supplier Name: _____

*** Attributes Page ***

Mandatory ATTRIB. #026 - 26. DOES THE SUBMITTER AGREE THAT THE ELECTRONICALLY SUBMITTED OFFER IS LEGALLY BINDING AND ENFORCEABLE AND THAT NO WRITING SHALL BE REQUIRED TO MAKE THIS OFFER OR ANY RESULTING CONTRACT OR PURCHASE ORDER LEGALLY BINDING?

Response:

Mandatory ATTRIB. #027 - 27. DOES THE SUBMITTER AGREE THAT THE ELECTRONIC OFFER, IF INTRODUCED AS EVIDENCE ON PAPER, IS ADMISSIBLE AS A BUSINESS RECORD ORIGINATED AND MAINTAINED IN PAPER FORM?

Response:

Mandatory ATTRIB. #028 - 28. DOES THE SUBMITTER AGREE THAT IF A CHANGE OR ERROR IN AN OFFER OCCURS IN A TRANSMISSION, THE SUBMITTER SHALL IMMEDIATELY NOTIFY THE COMMONWEALTH OF THE CHANGE OR ERROR?

Response:

Mandatory ATTRIB. #029 - 29. DOES THE SUBMITTER ACKNOWLEDGE RESPONSIBILITY FOR CURRENT & COMPLETE SUPPLIER REGISTRATION INFORMATION AND THAT THE COMMONWEALTH IS NOT RESPONSIBLE FOR ANY DELAYS IN PAYMENT OR COMMUNICATION RESULTING FROM INACCURACIES PROVIDED BY THE SUBMITTER?

Response:

Mandatory ATTRIB. #030 - 30. I HAVE INDICATED MY NAME AND TITLE IN THE COMMENT SPACE PROVIDED AND REPRESENT THAT I HAVE FULL AUTHORITY TO SUBMIT THIS RESPONSE ON BEHALF OF SUBMITTER AND TO BIND SUBMITTER TO ITS CONTENTS.

Response:

RECIPROCAL LIMITATIONS ACT REQUIREMENTS

Please Complete Applicable Portion of Pages 3 & 4 and Return with Bid.

NOTE: These Requirements Do Not Apply To Bids Under \$10,000.00

I. REQUIREMENTS

A. The Reciprocal Limitations Act requires the Commonwealth to give preference to those bidders offering supplies produced, manufactured, mined or grown in Pennsylvania as against those bidders offering supplies produced, manufactured, mined or grown in any state that gives or requires a preference to supplies produced, manufactured, mined or grown in that state. The amount of the preference shall be equal to the amount of the preference applied by the other state for that particular supply.

The following is a list of states which have been found by the Department of General Services to have applied a preference for in-state supplies and the amount of the preference:

STATE	PREFERENCE
1. Alaska	7% (applies only to timber, lumber, and manufactured lumber products originating in the state)
2. Arizona	5% (construction materials produced or manufactured in the state only)
3. Hawaii	10%
4. Illinois	10% for coal only
5. Iowa	5% for coal only
6. Louisiana	4% meat and meat products
	4% catfish
	10% milk & dairy products
	10% steel rolled in Louisiana
7. Montana	7% all other products
	5% for residents *
	3% for non-residents*
*offering in-state goods, supplies, equipment and materials	
8. New Mexico	5%
9. New York	3% for purchase of food only
10. Oklahoma	5%
11. Virginia	4% for coal only
12. Washington	5% (fuels mined or produced in the state only)
13. Wyoming	5%

B. The Reciprocal Limitations Act requires the Commonwealth to give preference to those bidders offering printing performed in Pennsylvania as against those bidders offering printing performed in any state that gives or requires a preference to printing performed in that state. The amount of the preference shall be equal to the amount of the preference applied by the other state for that particular category of printing.

The following is a list of states which have been found by the Department of General Services to have applied a preference for in-state printing and the amount of the preference:

STATE	PREFERENCE
1. Hawaii	15%
2. Idaho	10%
3. Louisiana	3%
4. Montana	8%
5. New Mexico	5%
6. Wyoming	10%

C. The Reciprocal Limitations Act, also requires the Commonwealth to give resident bidders a preference against a nonresident bidder from any state that gives or requires a preference to bidders from that state. The amount of the preference shall be equal to the amount of the preference applied by the state of the nonresident bidder. The following is a list of the states which have been found by the Department of General Services to have applied a preference for in-state bidders and the amount of the preference:

STATE	PREFERENCE
1. Alaska	5%(supplies only)
2. Arizona	5%(construction materials from Arizona resident dealers only)
3. California	5%(for supply contracts only in excess of \$100,000.00)

- 4. Connecticut 10%(for supplies only)
- 5. Montana 3%
- 6. New Mexico 5%(for supplies only)
- 7. South Carolina 2%(under \$2,500,000.00)
 1%(over \$2,500,000.00)
 This preference does not apply to construction contracts nor where the price of a single unit exceeds \$10,000.
- 8. West Virginia 2.5%(for the construction, repair or improvement of any buildings)
- 9. Wyoming 5%

D. The Reciprocal Limitations Act also requires the Commonwealth not to specify, use or purchase supplies which are produced, manufactured, mined or grown in any state that prohibits the specification for, use, or purchase of such items in or on its public buildings or other works, when such items are not produced, manufactured, mined or grown in such state. The following is a list of the states which have been found by the Department of General Services to have prohibited the use of out-of-state supplies:

STATE	PROHIBITION
1. Alabama	Only for printing and binding involving "messages of the Governor to the Legislature", all bills, documents and reports ordered by and for the use of the Legislature or either house thereof while in session; all blanks, circulars, notices and forms used in the office of or ordered by the Governor, or by any state official, board, commission, bureau or department, or by the clerks of the supreme court . . . /and other appellate courts/; and all blanks and forms ordered by and for the use of the Senate and Clerk or the House of Representatives, and binding the original records and opinions of the Supreme Court . . . /and other appellate courts/
2. Georgia	Forest products only
3. Indiana	Coal
4. Michigan	Printing
5. New Jersey	For legislative printing and bidders for all of the following items:* automotive parts, farm machinery, stainless steel tableware, kitchen small wares, major household appliances, chain link fence, portable sanitation units, glass, glazier supplies, storage batteries, spark plugs and filters, automotive glass, dental casting, prosthetic devices, pianos, musical instruments, carpet and cushion, shades, upholstery materials and supplies, room air conditioning, electrical supplies, plumbing supplies, hardware supplies, fasteners, lumber, building supplies, audiovisual/video equipment, fire extinguishers, fire hose, motor oils, fuel oil, sporting goods, photographic supplies, police equipment and supplies, venetian blinds, drapes, cheese, fresh fruit and vegetables, ammonia, bleach, pails, cleaning soaps, toilet cleaner, bowl cleaner, sponges, paper towel dispensers, water hose, course paper products, corrections department uniforms fine paper and paper cups.
6. New Mexico	Construction
7. Ohio	Only for House and Senate bills, general and local laws, and joint resolutions; the journals and bulletins of the Senate and house of Representatives and reports, communications, and other documents which form part of the journals; reports, communications, and other documents ordered by the General Assembly, or either House, or by the executive department or elective state officers; blanks, circulars, and other work for the use of the executive departments, and elective state officers; and opinions of the Attorney General.
8. Rhode Island	Only for food for state institutions.

*If the bid discloses that the bidder is offering to supply one of the above-listed products from the listed state (or in the case of New Jersey, if the bid discloses that the bidder is from New Jersey and it is offering one of the above-listed items), it shall be rejected. Contractors are prohibited from supplying these items from these states.

II. CALCULATION OF PREFERENCE

In calculating the preference, the amount of a bid submitted by a Pennsylvania bidder shall be reduced by the percentage preference which would be given to a nonresident bidder by its state of residency (as found by the Department of General Services in Paragraph C_above). Similarly, the amount of a bid offering Pennsylvania goods, supplies, equipment or materials shall be reduced by the percentage preference which would be given to another bidder by the state where the goods, supplies, equipment or materials are produced, manufactured, mined or grown (as found by the Department of General Services in Paragraphs A and B_above).

THIS FORM MUST BE COMPLETED AND RETURNED WITH THE BID

III. STATE OF MANUFACTURE

All bidders must complete the following chart by listing the name of the manufacturer and the state (or foreign country) of manufacture for each item. If the item is domestically produced, the bidder must indicate the state in the United States where the item will be manufactured. **This chart must be completed and submitted with the bid or no later than two (2) business days after notification from the Issuing Office to furnish the information. Failure to complete this chart and provide the required information prior to the expiration of the second business day after notification shall result in the rejection of the bid.**

ITEM NUMBER	NAME OF MANUFACTURER	STATE (OR FOREIGN COUNTRY) OF MANUFACTURE

IV. BIDDER'S RESIDENCY

A. In determining whether the bidder is a nonresident bidder from a state that gives or requires a preference to bidders from that state, the address given on the first page of this invitation to bid shall be used by the Commonwealth. If that address is incorrect, or if no address is given, the correct address should be provided in the space below:

Correct Address: _____

B. In order to claim the preference provided under Section I.B., Pennsylvania resident bidders must complete the following or have such information on file with the Issuing Office:

1. Address of bidder's bona fide establishment in Pennsylvania at which it was transacting business on the date when bids for this contract/requisition were first solicited: _____

2. a. If the bidder is a corporation:

(1) The corporation is or is not incorporated under the laws of the Commonwealth of Pennsylvania.

(a) If the bidder is incorporated under the laws of the Commonwealth of Pennsylvania, provide date of incorporation: _____

(b) If the bidder is not incorporated under the laws of the Commonwealth of Pennsylvania, it must have a certificate of authority to do business in the Commonwealth of Pennsylvania from the Pennsylvania Department of State as required by the Pennsylvania Business Corporation Law (15 P.S. §2001). Provide date of issuance of certificate of authority: _____

(2) The corporation is or is not conducting business in Pennsylvania under an assumed or fictitious name. If the bidder is conducting business under an assumed or fictitious name, it must register the fictitious name with the Secretary of the Commonwealth and the office of the prothonotary of the county wherein the registered office of such corporation is located as required by the Fictitious Corporate Name Act, as amended 15 P.S. §51 et seq. Corporate bidders conducting business under an assumed or fictitious name must provide date of registry of the assumed or fictitious name: _____

b. If the bidder is a partnership:

(1) The partnership is or is not conducting business in Pennsylvania under an assumed or fictitious name. If the bidder is conducting business under an assumed or fictitious name, it must file with the Secretary of the Commonwealth and the office of the prothonotary the county wherein the principal place of business is located as required by the Fictitious Name Act of May 24, 1945, P.L. 967, as amended 54 P.S. §28.1. Partnerships conducting business under an assumed or fictitious name must provide the date of filing of the assumed or fictitious name with the Secretary of the Commonwealth: _____

(2) The partnership is or is not a limited partnership formed under the laws of any jurisdiction other than the Commonwealth of Pennsylvania. If the bidder is an Out-of-state limited partnership, it must register with the Pennsylvania Department of State as required by the Act of July 10, 1981, P.L. 237, as amended, 59 Pa. C.S.A. §503. Out-of-state limited partnerships must provide the date of registry with the Pennsylvania Department of State: _____

c. If the bidder is an individual:

He or she is or is not conducting business under an assumed or fictitious name. If the bidder is conducting business under an assumed or fictitious name, he or she must file with the Secretary of the Commonwealth and the office of the prothonotary in the county wherein the principal place of business is located as required by the Fictitious Name Act of May 24, 1945, P.L. 967, as amended, 54 P.S. §28.1. Individuals conducting business under an assumed or fictitious name must provide the date of filing of the assumed or fictitious name with the Secretary of the Commonwealth: _____

BIDDING PREFERENCE FOR PRODUCTS WITH RECYCLED POSTCONSUMER MATERIAL

PLEASE NOTE: Bidders ARE NOT required to complete this form or obtain the following Manufacturer's Recycled Postconsumer Material Certification if they ARE NOT seeking a bidding preference for products or printing with recycled postconsumer material.

A. PREFERENCE

Except as otherwise provided in Paragraph G, every bidder who certifies that the goods, supplies, equipment, materials or printing, which the bidder is offering, contains at least 10% of recycled postconsumer material shall be given a five percent (5%) preference against any bidder that has not so certified (or such higher percentage specified in the invitation for bids for the bidding preference for products with recycled postconsumer material) "Postconsumer material" is defined as "Any product generated by a business or consumer which has served its intended end use, and which has been separated or diverted from solid waste for the purpose of collection, recycling, and disposition. The term includes industrial by-products that would otherwise go to disposal or processing facilities. The term does not include internally generated scraps that is commonly returned to industrial or manufacturing processes." This preference for products and printing with recycled postconsumer material shall be in addition to any reciprocal preference for Pennsylvania bidders and manufacturers.

B. BIDDER CERTIFICATION

If the bidder is submitting a bid price on more than one item, and the percentage of recycled postconsumer material differs for each item, the bidder must state the percentage for each item. Bidder certifies that the goods, supplies, equipment, materials or printing which the bidder is offering: (to be completed by the bidder)

Item No. _____ Contains ____ % of recycled postconsumer material.

Item No. _____ Contains _____% of recycled postconsumer material.

Item No. _____ Contains _____% of recycled postconsumer material.
(use additional sheets if necessary to complete required information)

If a bidder does not comply with this Subsection (B), he shall not be eligible for the 5% preference.

C. MANUFACTURER'S RECYCLED POSTCONSUMER MATERIAL CERTIFICATION

In addition to the Bidder Certification in Subsection (B), in order to be eligible for the 5% preference a manufacturer's certification must be completed, signed and submitted by each of the manufacturers listed by the bidder in Section III of the Reciprocal Limitations Act Requirements of this Invitation for Bid. Bidders must use the enclosed Manufacturer's Recycled Postconsumer Material Certification form. If this form is not completed, signed and submitted with the bid, no bidding preference shall be given to the bidder.

D. FEDERAL FUNDS

No preference shall be given if the Commonwealth's receipt of federal funds would be jeopardized by granting the preference.

E. TIE BIDS

When there is a tie for lowest responsible bidder, the Department of General Services may consider, as one factor in determining to whom the contract should be awarded, which of the bids provides for the greatest percentage of recycled postconsumer material in the product or printing.

F. ENFORCEMENT

Awarded bidders may be required, after delivery of the goods, supplies, equipment, materials or printing, to provide the Commonwealth with documentary evidence that the goods, supplies, equipment, materials or printing was in fact produced with the certified percentage of recycled postconsumer material. If a bidder is awarded a contract or a purchase order on the basis of the 5% preference and fails to supply the item(s) with the required content of recycled postconsumer material or refuses or fails to provide sufficient documentary evidence that the item(s) was in fact produced with the certified percentage of recycled postconsumer material, the Department reserves the right, at its sole discretion, to:

- 1) Reduce the purchase price paid to the contractor by 5%.
- 2) Require the contractor to remove and replace the materials at the contractor's sole expense.
- 3) Cancel the contract or the purchase order.
- 4) Obtain the item(s) from another source.
- 5) Pursue its other remedies under the contract for damages and costs for breach of contract.

G. STEEL AND ALUMINUM PRODUCTS EXCEPTION

The Commonwealth of Pennsylvania recognizes that both steel and aluminum products are universally made of recycled material, including postconsumer steel and postconsumer aluminum. Therefore, if steel or aluminum is used in the manufacture of the product offered by a bidder in response to this invitation to bid, the bidder is not required to provide certification that the product contains recycled postconsumer material. If a bidder is offering a product with steel or aluminum and the steel or aluminum contains no postconsumer material, the bidder is required to provide written notification in its bid. Bidders offering products containing steel and/or aluminum shall be given a five percent bidding preference over bidders offering: (1) steel or aluminum products that are reported to be made without recycled (postconsumer) content and (2) non-steel or non-aluminum products (such as plastic) which are not certified as containing recycled (postconsumer) content.

MANUFACTURER RECYCLED POSTCONSUMER MATERIAL CERTIFICATION

TO BE COMPLETED BY MANUFACTURER:

NAME OF MANUFACTURING FIRM: _____

ADDRESS OF MANUFACTURING FIRM: _____

FEDERAL EMPLOYER I.D. NO: _____

CONTRACT OR REQUISITION NO: _____

NAME OF BIDDER: _____

ADDRESS OF BIDDER: _____

Goods, supplies, equipment, materials or printing which the manufacturer will furnish to the bidder if the bidder is awarded the above-referenced contract or purchase requisition:

Short description of the nature of the postconsumer material which will be contained in the goods, supplies, equipment, materials or printing: _____

CERTIFICATION: I, the undersigned officer of the above-named firm, do hereby certify that I am authorized to provide this certification on behalf of the above-named firm and that the goods, supplies, equipment, materials or printing listed above which my company will furnish to the bidder named above, if the bidder is awarded the above-referenced contract or purchase requisition, shall contain not less than ____% postconsumer material as that term is defined in the invitation for bid. The nature of the postconsumer material is also identified above. I understand that this document is subject to the provisions of the Unsworn Falsification of Authorities Act (18 P.S. Section 4904).

PLEASE NOTE: Bidders ARE NOT required to complete this form if they ARE NOT seeking a bidding preference for products with recycled post-consumer material.

Signature

Name of Signatory

Title

Date



DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
ADJUTANT GENERAL'S OFFICE
COMMONWEALTH OF PENNSYLVANIA
FORT INDIANTOWN GAP
ANNVILLE, PENNSYLVANIA 17003-5002
VOICE/TDD 1-800-645-8924

March 2005

CONTRACT COMPLIANCE POLICY STATEMENT

The Department of Military and Veterans Affairs is committed to a policy of nondiscrimination for all persons regardless of race, color, religious creed, ancestry, union membership, age, sex, sexual orientation, national origin, or non-job related disability.

The practice of equal opportunity and nondiscrimination will include all contracting practices of this agency comprising procurement, construction, and service delivery.


Management personnel who participate in contract compliance planning, implementation, and monitoring are responsible for ensuring the adherence to nondiscrimination practices. Management performance relating to the success of the Department's Contract Compliance Plan will be evaluated in the same way as other agency objectives are measured. Each contract entered into by the Department of Military and Veterans Affairs will include a copy of the attached Nondiscrimination/Sexual Harassment Clause.

All contracting activities of the Department will be monitored by the contract compliance staff to ensure that contract solicitation and award processes are nondiscriminatory.

The overall responsibility for the contract compliance program is assigned to BG Robert P. French, Deputy Adjutant General-Army, Department of Military and Veterans Affairs. His office is located in Building P-O-47, Fort Indiantown Gap, Anville, PA 17003-5002.

The monitoring functions of the Contract Compliance Officer are assigned to Kristi L. Smith, Bureau of Administrative Services, Department of Military and Veterans Affairs. Her office is located in Building P-O-47, Fort Indiantown Gap, Anville, PA 17003-5002. The telephone number is 717-861-8796.

Sincerely,


Jessica L. Wright
Major General, PAARNG
The Adjutant General



DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
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www.dmva.state.pa.us

NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE

The Contractor agrees to the following provisions as a result of entering into a contract with the Commonwealth of Pennsylvania:

1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the contract or any subcontract, the contractor, subcontractor, or any person acting on behalf of the contractor or subcontractor shall not, by reason of gender, race, creed, or color, discriminate against any citizen of this Commonwealth who is qualified and available to perform the work to which the employment relates.

2. Neither the contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against or intimidate any employee involved in the manufacture of supplies, the performance of work, or any other activity required under the contract on account of gender, race, creed, or color.

3. Contractors and subcontractors shall establish and maintain a written sexual harassment policy and shall inform their employees of the policy. The policy must contain a notice that sexual harassment will not be tolerated and employees who practice it will be disciplined.

4. Contractors shall not discriminate by reason of gender, race, creed, or color against a subcontractor or supplier who is qualified to perform the work to which the contracts relates.

5. The contractor and each subcontractor shall furnish all necessary employment documents and records, to and permit access to their books, records, and accounts by the contracting agency and the Bureau of Contract Administration and Business Development, for purposes of investigation, to ascertain compliance with provisions of this Nondiscrimination/Sexual Harassment Clause. If the contractor or any subcontractor does not possess documents or records reflecting the necessary information requested, the contractor or subcontractor shall furnish such information on reporting forms supplied by the contracting agency or the Bureau of Contract Administration and Business Development.

6. The contractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subcontract so that such provisions will be binding upon each subcontractor.

7. The Commonwealth may cancel or terminate the contract, and all money due or to become due under the contract may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the agency may proceed with debarment or suspension and may place the contractor in the Contractor Responsibility File

Equal Employment Opportunity is

THE LAW

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under the following Federal authorities:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, prohibits job discrimination because of disability and requires affirmative action to employ and advance in employment qualified individuals with disabilities who, with reasonable accommodation, can perform the essential functions of a job.

VIETNAM ERA, SPECIAL DISABLED, RECENTLY SEPARATED, AND OTHER PROTECTED VETERANS

38 U.S.C. 4212 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, prohibits job discrimination and requires affirmative action to employ and advance in employment qualified Vietnam era veterans, qualified special disabled veterans, recently separated veterans, and other protected veterans.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), Employment Standards Administration, U.S. Department of Labor, 700 Constitution Avenue, N.W., Washington, D.C. 20210 or call (202) 693-0101, or an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Private Employment, State and Local Governments, Educational Institutions

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under the following Federal laws:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex or national origin.

DISABILITY

The Americans with Disabilities Act of 1990, as amended, protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral, and other aspects of employment on the basis of disability. The law also requires that covered entities provide qualified applicants and employees with disabilities with reasonable accommodations that do not impose undue hardship.

AGE

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination on the basis of age in hiring, promotion, discharge, compensation, terms, conditions or privileges of employment.

SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act of 1964, as amended (see above), the Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

Retaliation against a person who files a charge of discrimination, participates in an investigation, or opposes an unlawful employment practice is prohibited by all of these Federal laws.

If you believe that you have been discriminated against under any of the above laws, you should contact immediately:

The U.S. Equal Employment Opportunity Commission (EEOC), 1801 L Street, N.W., Washington, D.C. 20507 or an EEOC field office by calling toll free (800) 669-4000. For individuals with hearing impairments EEOC's toll free TDD number is (800) 669-6820.

Programs or Activities Receiving Federal Financial Assistance

RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX

In addition to the protection of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal assistance.

INDIVIDUALS WITH DISABILITIES

Sections 501, 504 and 505 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance in the federal government. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with reasonable accommodation, can perform the essential functions of a job.

If you believe you have been discriminated against in a program of any institution which receives Federal assistance, you should contact immediately the Federal agency providing such assistance.