



Commonwealth of Pennsylvania

Date: **18 March 2013**
Subject: **Construct/Heavy-Duty Power Equip – 2013**
Solicitation Number: **6100024278**
Opening Date/Time: **27 March 2013 at 3:30 PM (REVISED to 05 APRIL 2013 at 3:30 PM)**
Addendum Number: **3**

To All Suppliers:

The Commonwealth of Pennsylvania defines a solicitation "Addendum" as an addition to or amendment of the original terms, conditions, specifications, or instructions of a procurement solicitation (e.g., Invitation for Bids or Request for Proposals).

This solicitation addendum is being issued to make notification of reschedule of Bid Opening date and time and to address questions/issues regarding the "Construct/Heavy-Duty Power Equip – 2013" Invitation For Bid Solicitation #6100024278

Question #1: Can you clarify this statement and let me know if the mowers category (attachments and implements) falls under this. This part was taken from specifications #6 General Warranty Requirements.

"The construction and agricultural equipment manufacturer's service and warranty program for full machine ("bumper to bumper") shall be for a minimum of two (2) years or four thousand (4,000) hours whichever first occurs."

Would we be required to give two years warranty?

Answer #1: In general I would say "No", but when looking at this warranty issue, please keep in mind that this is an additional option item and will have its own line item on any contract issued and be sure to see the note following the description:

NOTE: If the ordering entity has a desire for this additional coverage, the ordering entity must request and the contractor shall supply this cost to the ordering entity (if this option is available) prior to the contractor accepting and processing any such purchase order against the contract.

Question #2: In reading the terms and conditions, pg. 15 states

III.2 III-IFB-006.1d Method of Award -Two Bidders Per Manufacturer (April 2011)

"Award will be made to the responsive and responsible bidders offering the greatest discount from the referenced price list. Discount(s) will be taken from the best price column. Only two awards will be made for each particular manufacturer's list of items. Bidders who are not manufacturers must submit a letter from the manufacturer stating that the bidder is an authorized dealer in Pennsylvania for the manufacturer."

Do we have to send in a letter and the manufacturer's certification if we are bidding a unit that we get from a manufacturer or just the certification?

Answer #2: Just the certification document.



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Question #3: Is it necessary to list all "Attachment & Implements" in Bid Item Sheet Ag-Grounds Keeping 2013? In the past manufacturer and discount was acceptable.?

Answer #3: For "Attachments and Implements" tab, only need manufacturer, discount rate, and title of price list data.

Question #4: Do Pressure Washers and Small Portable Generators apply to this contract?

Answer #4: At this time pressure washers are not on the bid.....For generators, see IFB #6100024278 "Construction / Heavy-Duty type Power Equipment".

Question #5: Once the new Ag contract goes live on October 1, we will have new model pricing for Polaris Off Road Products effective September 1, 2013 for the new 2014 product. On October 1, I will still have some 2013 product to offer and will be glad to do so, but by April 1 (6 months after the contract goes into effect) I HOPE that my 2013 product has been exhausted for 4-5 months.

Answer #5: See revised "Specifications Part-1" document, section titled "**ECONOMIC PRICE ADJUSTMENT:**, paragraph "a":

- a. The Contractor warrants that the unit price stated for the contract line items, awarded to them, is not in excess of the Contractor's normal commercial pricing, in effect on **01 October 2013**. All contract prices shall be firm against modification for the first 6 calendar months **following 01 October 2013**.

Question #6: My question is on the generators....the spec reads "mobile" generators, but our company also manufactures and sells standby generators, for facility power. Is that something you would like bids on as well?

Answer #6: No....we are only looking at the mobile units.....Just make sure that you provide your bid for generators on IFB #6100024278.

Question #7: I am reviewing the State of manufacture Chart and just have a question regarding the "item Number" Am I required to list each and every model that we are putting out for bid. There might be up to 100 items. Or can I use the word "Mowers" and leave it at that?

Answer #7: Just ignore the column titled "Item Number".

Question #8: Did you need us to send the Manufacturers Price List also with the bid? I don't think I read that anywhere.

Answer #8: I would like copy either attached to the bid or sent via e-mail to me.....I will accept a CD disk if necessary.

Per Specifications Part-1" document:

- d. All bidders must provide referenced OEM's price list(s) in electronic format, preferable attached to the bid document. In a case where you choose to forward this data on Compact Disc (CD), these discs are to be sent via US Mail, FedEx, United Parcel Service (UPS), etc. to the following address:



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Attention: Richard Woodworth
Department of General Services
Bureau of Procurement
Forum Place, 6th Floor
555 Walnut Street
Harrisburg, PA 17101-1914

Question #9: Also in the Bid Item spreadsheet should I indicate what the actual price will be? I know there is not a column for that but I can add one in if it serves a purpose.

Answer #9: No, just need discount rate to show.

Question #10: We are representing a line of skid steer attachments, buckets, hayforks etc. Would those fall into the Ag section of the contract under "Attachments". Or would that go into the construction side of the contract?

Answer #10: This would fall under the Attachments & Implements on the Construction Equipment contract.

Question #11: I believe I read this correct but just checking. The \$1500 Admin payment for electing to be part of COSTARS is an annual fee? If so do you know what the trigger is for payment? Would they send us an invoice or do we have to "remember" to send a check every year?

Answer #11: You would get a letter from DGS requesting follow-on payments.

Question #12: I know that quarterly reports are needed for COSTARS and we have been doing that. Are you or the new administrator going to need these as well? I believe you asked that we stop sending you those a long time ago and we have not since

Answer #12: No....the only reporting is that as required by the Costars.

Question #13: On the Contractor Data Sheet there is (1) spot for labor and training rate. Is this necessary to be filled in for the over 200 dealers that we will have between all product lines? Is this new?

Answer #13: These rates would be what the Contractor of Record would charge on the contract for these services.

Question #14: As we discussed, pricing is to be held for 6 months beginning Oct. For the 3 product lines that we are submitting for bid we will be having new pricing coming out between June and Sept. Of course I doubt if the pricing will come down. Is there a way that we would be able to utilize the new pricing instead of submitting price lists that will be outdated once the contract goes into effect.

Answer #14: See "Answer #5", above.



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Question #15: Part 2 Requirements pg 14 – States that submitting the Lobbying Certification and Disclosure form is required but it is not attached to the IFB. It is correct that as long as vendors are not using federal funds that this is not a requirement?

Answer #15: Yes.

Question #16: Part 5 T's & C's pg 21 - References orders by phone. May a vendor require a PO and not accept orders by phone?

Answer #16: Yes.

Question #17: Specs Part 1 pg 3 General Warranty Requirements - States Ag equipment warranty for full machine "bumper to bumper" shall be for a minimum of (2) years or 4000 hours, whichever comes first. May the manufacturers standard warranty suffice?

Answer #17: See "Answer #1", above.

Question #18: Specs Part 1 pg 3, # 8 Manuals - Are technical manuals required in addition to operators manuals and parts manuals?

Answer #18: 8. MANUALS: The following manuals shall be supplied, as applicable, with each item delivered to the ordering agency -

- a. One (1) Operators Manual
- b. One (1) Parts Manual

The manuals listed shall be OEM publications supplemented with technical manuals for all components as published by sub-contractors.

Electronic formatted manuals on CD or online at manufacturer's website may be supplied in lieu of paper manuals.

Question #19: Specs Part 1 pg 3 Delivery – Will the State consider changing that larger items can be delivered within 180 calendar days rather than 150?

Answer #19: Per "Specifications Part-1" document: If delivery time may exceed these cited time frames, then the contractor shall notify the ordering agency, before processing the purchase order. The contractor shall then only proceed with the order after receiving written authorization from the ordering agency.

Question #20: Are product substitutions permitted for base powered units, as well as, attachments/implements? Ex: Should a model be discontinued, may the vendor offer its replacement at the price of the contract model **until price pages can be updated?**

Answer #20: No



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Question #21: Are agencies permitted to purchase, for example, a loader with no tractor? Or, must a base power unit be included on PO's with any kind of attachment / implement?

Answer #21: Yes, attachments and implements can be purchased as a single item..... You would not need to purchase a base power unit.

Question #22: Will a Price adjustment be permitted 6 months after the Bid Opening date if we as a supplier receive a Price Increase from our manufacturer?

Answer #22: See "Answer #5", above.

Question #23: Can the Bid opening date be extended by 1 week from the current due date to allow additional time for us to put the Bid Response together?

Answer #23: Yes.....Bid Opening is being revised to 05 April 2013 at 3:30 PM.

Question #24: I would like to echo a concern brought up during our meeting - this issue of bidding the contract now for an effective date of Sept 2013 and holding that contract for 6 months. Exmark will issue their 2014 model line up in December of 2013 listing new models and new pricing. This may cause some issues if the contract can not be updated until April of 2014.

Answer #24: See "Answer #5", above

Question #25: Question, Concerning the submission of price lists for attachments etc. Can the price lists be submitted after a vendor is awarded the contract for a particular line of equipment?

Answer #25: Yes

Question #26: I would like to see a line item added to the power equipment contract on the construction side for the addition of an internal combustion engine drive welder.

Answer #26: Category will be added to the bid item sheet for IFB #6100024278 "Construction / Heavy-Duty type Power Equipment".

Question #27: When completing the bid item sheet under the Power Base Line Items tab, do you want us to start down below the examples you have listed or would you like us to insert the products that correspond with the item description listed?

Answer #27: Intent is to have bidders insert the products that correspond with the item description listed.



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Question #28: Can we bid our complete attenuators and attenuator parts as we did the previous year's bid; where we offered a % discount off of our current price list?

Answer #28: Yes.....The attenuators themselves would go under the attachments and Implements section/tab and the parts would go under Tab #4 "Maintenance and Repair Parts".

Question #29: Since you are planning on putting out an addendum addressing Q's at the pre-bid meeting, would you also consider a revised extended bid due date?

Answer #29: See "Answer #23", above.

Question #30: What is effective date of awarded contract? (*immediately upon award or after current contract*)

Answer #30: Contract would not go active until 01 October.

Question #31: Can we increase pricing within the first 6 months of the contract award as we do not have next year's pricing from OEM yet?

Answer #31: See "Answer #5", above.

Question #32: Is it possible to shorten the window of time from contract opening date to when the first price change can be issued? If the pricing does not go into effect until October 2013, and bid is prepared in March 2013 at current pricing, most manufacturers' price lists will be outdated at bid opening since they have spring and fall cycles for price lists. The six-month window thereafter is fair, but it's the initial price list that would be in question.

Answer #32: See "Answer #5", above.

Question #33: In the case where there are 3 Associate dealers within the Commonwealth for same main vendor on contract, can Associate dealers accept payment for the main vendor on record, if the check is made out to (main vendor) c/o Associate Dealer? Or in the case of a piece of equipment being on the associate dealer's financed floor plan, may the check be prepared: (main vendor) c/o (floor plan company)?

Answer #33: No....All invoices would need to come from the Contractor of Record and all payments would need to go to the Contractor of Record.

Question #34: Do we have to list each model number for our skid steer loaders or can we just list "all"?

Answer #34: No....All models should be on a separate line.



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Question #35: We have more than one type of equipment that will go under “Loader Unit”, can we insert an additional line named “Loader Unit” and insert the other type of equipment? For example, Skid Steer Loaders will be on one line and the Wheel Loader will be on the additional line.

Answer #35: Under Column “D” you would show “Loader Unit” and under column “E” you would show whether it was a skid loader, front wheel loader, etc.

Question #35: .We have two different discounts for our Excavator line, can we insert an additional line that shows the different discount? For example one line at 10% and the other at 15%.

Answer #35: Yes

Issue #1: At the Pre-Bid Meeting on Wednesday (13 March 2013), the question was raised about using a purchasing/credit card for large purchases on the Power Equipment contracts. Current contract terms and conditions read as follows (reference attachments):

Purchase Orders **under five thousand dollars (\$5,000) in total amount may** also be made in person or by telephone using a Commonwealth Purchasing Card. When an order is placed by telephone, the Commonwealth agency shall provide the agency name, employee name, credit card number, and expiration date of the card. Contractors agree to accept payment through the use of the Commonwealth Purchasing Card.

See Page #17 (**V.6 CONTRACT-005.1a Purchase Orders (Feb 2007)**) in the attachment titled “Terms and Conditions Document – 4400005916” and Page #17 (**V.7 CONTRACT-005.1a Purchase Orders (Feb 2007)**) in the attachment titled “Terms and Conditions Document – 4400006010”.

My interpretation is that for total purchases under \$5,000.00 a purchasing/credit card **may** be used. For purchases exceeding \$5,000.00 a purchasing/credit card is not to be used.....purchase should be via purchase order action.

This same clause is in the current Power Equipment bid terms & conditions document.....see last paragraph in Clause “**V.7 CONTRACT-005.1a Purchase Orders (Feb 2007)**”, Page #20 thru #21 on both 6100024258 and 6100024278.

Issue #2: Regarding “Specifications Part-1” document, section #6 titled “Specifications”: Is hereby being revised to read as follows –

6. **SPECIFICATIONS: SPECIFICATIONS:** All items to be provided, against any purchase order from any contract resulting from this bid action, shall be in accordance to the Original Equipment Manufacturer’s (OEM’s) standard commercial specifications, **with minimum of one (1) year warranty coverage (Reference Clause titled “V.11 CONTRACT-008.1a Warranty. (Oct 2006)”, located on page #21 of the Invitation for Bid (IFB) attachment document titled “Terms and Conditions Document”)**.

Extended warranties that may be available from the OEM may be purchased in accordance with the OEM’s published normal commercial warranty rate schedule.

Issue #3: Bid Opening date and time is hereby being revised to 05 April 2013 at 3:30 PM.



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For electronic solicitation responses via the SRM portal:

- Attach this Addendum to your solicitation response. Failure to do so may result in disqualification.
- To attach the Addendum, download the Addendum and save to your computer. Move to 'My Notes', use the "Browse" button to find the document you just saved and press "Add" to upload the document.
- Review the Attributes section of your solicitation response to ensure you have responded, as required, to any questions relevant to solicitation addenda issued subsequent to the initial advertisement of the solicitation opportunity.

Except as clarified and amended by this Addendum, the terms, conditions, specifications, and instructions of the solicitation and any previous solicitation addenda, remain as originally written.

Very truly yours,

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