

**SPECIFICATIONS
AMMUNITION
Supplemental IFB 6100057280
Original IFB 6100053869
Revised 11.18.22**

SUPPLEMENTAL BID: In accordance with the Terms and Conditions of the Ammunition Contract, DGS is issuing Supplemental IFB No. 1. The intent of this supplemental bid is to add a Lot No. 5, **Remington and PMC Brands of Ammunition**. Any supplier may bid on this supplemental solicitation.

CONTRACT TERM: The term of the Contract resulting from this Supplemental Bid shall start upon the full execution of the new contract and expire on 5/31/23. Four (4) one-year contract renewal options are still available, as identified in the Terms and Conditions.

WORKER PROTECTION AND INVESTMENT CERTIFICATION: Pursuant to Executive Order 2021-06, Worker Protection and Investment (October 21, 2021), the Commonwealth is responsible for ensuring that every Pennsylvania worker has a safe and healthy work environment and the protections afforded them through labor laws. To that end, contractors and grantees of the Commonwealth must certify that they are in compliance with all applicable Pennsylvania state labor and workforce safety laws. Such certification shall be made through the Worker Protection and Investment Certification Form (BOP-2201), which is attached hereto and made a part of this Participating Addendum.

- A. CONTRACT OVERVIEW:** The Commonwealth of Pennsylvania, Department of General Services (DGS) is issuing this Invitation for Bids (IFB) to establish a contract for the purchase of Ammunition. The resulting contract will cover the requirements of all using agencies including, but not limited to, The Pennsylvania State Police, Pennsylvania Capitol Police, Department of Corrections, Fish and Boat Commission, Game Commission, Department of Conservation and Natural Resources, Pennsylvania Board of Probation and Parole and the Attorney General's Office.
- B. METHOD OF AWARD:** The DGS contract will be a single award to the lowest responsive and responsible bidder for lot #5. Lowest price will be determined by the total, cumulative bid price for all of the line items within the lot. Bidders must bid on all line items on Lot 5 to be considered for award. The specific line items are identified on Attachment A, Ammunition Cost Sheet.
- C. BIDDING:** The Ammunition Cost Sheet (Attachment A) identifies a core list of items for Lot 5. Bidders must enter the per case, bid prices on Attachment A. Bidders must bid on all line items within Lot 5 to be considered for award. Bidders must submit the completed Attachment A, with their bid in the PA Supplier Portal in order for their bid to be considered responsive.
- D. HISTORICAL USAGE:** This is a new lot and there is no historical usage information.
- E. NON-CORE PRICING:** Bidders may offer a discount from manufacturer's current, published price list for non-core Remington Brand items. Bidders cannot offer a discount from price list if they are not submitting core pricing. The non-core discount shall be calculated as a percentage (%) off the Manufacturer's current, published price list and does not apply to the core list of items. Bidders must enter their offered discount percentage on Attachment A. The non-core percentage (%) off list price **will not** be considered in awarding this contract. Bidders must provide a copy of the current, published Manufacturer's price list with their bid.

Using agencies will be permitted to procure additional types of ammunition, from within the awarded Manufacturers' line of product, using the non-core catalog discounts. Any non-core procurement greater than the current no-bid threshold, as stated in the Commonwealth's Procurement Handbook Part I Chapter 07, shall require the approval of the Contracting Officer. Agency procurements of non-core catalog items with a value estimated higher than this threshold may be required to be purchased through a separate, competitive procurement process.

- F. **MANUFACTURER'S AUTHORIZATION:** If a bidder is not the Manufacturer, upon request they must provide a letter signed by the Manufacturer stating that the bidder is authorized to sell the Manufacturers' products and that the Manufacturer will honor any responsibilities under the warranty for products sold by the bidder.
- G. **AMMUNITION LOT IDENTIFICATION:** It is a requirement of the Commonwealth of Pennsylvania that all rounds used in live-duty action be identifiable by continuous manufacturer lots. This applies to approximately 20% of the past total volume of all ammunition ordered annually.
- H. **MINIMUM ORDER REQUIREMENTS:** There is a five (5) case minimum order requirement, per manufacturer, for all orders. All contract shipments are FOB Destination as identified in Section V.10 Contract-007.01a Supplies Delivery (Nov 30 2006) of the Terms and Conditions.
- I. **DELIVERY:** The ordering agency must contact Contract supplier prior to issuing a purchase order to establish an anticipated delivery date. The ordering agency will indicate the agreed upon anticipated delivery date on the purchase order. The Contract supplier must keep ordering agency abreast of any changes to the anticipated delivery date.
- J. **RECEIVING:** It is required that the Contractor(s) communicate and confirm special delivery requirements and/or instructions. Delivery scheduling must be communicated on an individual basis, per shipment, due to various receiving hours and warehouse requirements. Non-compliance of this communication will result in possible rejection of delivery.
- K. **BILLING REQUIREMENTS:** All purchase orders will be issued with a per case unit price as identified on the contract. Contractors are required to submit invoices which are itemized to match the line items on the purchase orders issued. All subsequent invoices must be submitted with the same per case unit price. Failure to comply with these requirements may result in rejection of invoices and delay payment. See Section V.24 CONTRACT-015.2 Billing Requirements (February 2012) of the Contract Terms and Conditions for more specific detail on submitting invoices and payment terms.
- L. **PRICING AND PRODUCT UPDATES:** The Contractor(s) pricing will be in effect for the initial term of the Contract, as identified in the Contract Terms and Conditions. Contractors are permitted to request a change to their manufacturer's price lists and contract line items to reflect new and discontinued products at renewal only with approval from the Contracting Officer, unless otherwise approved by the Contracting Officer. Percentage discounts on new price list submittal cannot decrease from the awarded percentage discounts, however, can increase yielding greater percentage discounts. All pricing and/or product updates must be submitted in writing to the Contracting Officer per the Renewal of Contract Terms.

- M. ADDITION OF PRODUCTS:** New line items and/or Manufacturers' line of products that are within the scope of this Contract may be added at the Commonwealth's discretion. If new line items or Manufacturers' lines of products should be added, the following procedures will be followed.
- 1. New Line Items to Existing Manufacturers' Line of Products:** An email request for pricing will be issued to the awarded Contractor for the applicable manufacturer's line of products. DGS will review the pricing submitted by the Contractor and if deemed reasonable the item(s) will be added to the contract.
 - 2. New Manufacturers' Line of Products:** A supplemental bid will be issued to add new Manufacturers' line of products. All existing Contractors and non-contract suppliers are permitted to bid on these supplemental bids.
- N. DELETION OF PRODUCTS:** Contractors will be notified in writing of any Contract line items which are being deleted from a Manufacturers' line of products.
- O. SECURITY: (For Department of Corrections' Deliveries Only.)** All Contractors or their sub-Contractors who utilize regular delivery transportation must submit clearance checks through the original Contractor for all drivers (*regardless if delivery is inside or outside of the fence*). Common carriers will not be required to render clearance checks; however, they are subject to search and escort procedures. ALL CARRIERS reporting to outside warehouses must secure their vehicle (*windows closed and doors locked*), sign in at warehouse and wait for further directions from Correctional staff.
- <https://www.cor.pa.gov/Facilities/Documents/Volunteer%20Documents/Centralized-Clearance-Check-Information-Request.pdf>
- P. USAGE REPORTS:** Contractor(s) will be required to provide quarterly usage reports on core and non-core contract spend. Each report shall include the name and address of the Contractor, contract number, period covered by the report, items purchased (description), quantity of items purchased, unit price, extended unit price and ordering entity. The information shall be arranged in columns on the report for each order received.
- Q. POST AWARD ADMINISTRATION:** The Contractors performance shall be monitored and evaluated in accordance with the requirements outlined in the Contract and the agencies' requests for quotes. At a minimum, the Contractors' performance shall be evaluated on an annual basis. Contractors may be required to attend Contract Performance Review meetings. These meetings will be for the purpose of providing Contractor performance reviews, discussion of issues either party may have concerning the Contract or to evaluate the overall progress of the Contract. The meetings will be held quarterly, semi-annually or annually at the discretion of the Department of General Services, or upon special request of the using agencies.
- R. IRAN FREE PROCUREMENT CERTIFICATION & DISCLOSURE:** Prior to entering a contract worth at least \$1,000,000 or more with a Commonwealth entity, a bidder must: a) certify it is not on the current list of persons engaged in investment activities in Iran created by the Pennsylvania Department of General Services ("DGS") pursuant to Section 3503 of the Procurement Code and is eligible to contract with the Commonwealth under Sections 3501-3506 of the Procurement Code; or b) demonstrate it has received an exception from the certification requirement for that solicitation or contract pursuant to Section 3503(e). All bidders must complete and

return the Iran Free Procurement Certification form, which is attached hereto and made part of this IFB. The completed and signed Iran Free Procurement Certification form must be submitted with the Bid Response.

- S.** **INQUIRIES:** Direct all questions concerning this IFB and Contract to the Contracting Officer identified within the solicitation.