

IFB 61



pennsylvania
DEPARTMENT OF CORRECTIONS

159686

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

**IFB SPECIFICATIONS & REQUIREMENTS
STEEL PRODUCTS**

Invitation for Bid (IFB) No. 6100060416 – Supplemental 2

SPECIFICATIONS

STEEL PRODUCTS

IFB 6100060416, Supplemental Bid #2 to IFB 6100059005 & 6100059686

A. GENERAL REQUIREMENTS

1. **CONTRACT SCOPE:** The Commonwealth of Pennsylvania (COPA), Pennsylvania Department of Corrections (PA DOC) is issuing this Invitation for Bid (IFB) for Steel Products. The primary user of the contract will be the Pennsylvania Department of Corrections, Pennsylvania Correctional Industries (PCI). A list of PCI locations can be found at: <https://www.cor.pa.gov/PCI/Pages/PCI-Locations.aspx>. The average estimated annual spend for this contract is \$200,000.00. Detailed descriptions for some of the requested items are provided in **Exhibit A, Product List**. Other types and sizes of steel may be requested to support PCI operations.
2. **METHOD OF AWARD:** This will be a multiple awarded Contract. The Commonwealth will award a Contract to all responsible and responsive Bidders who meet the eligibility requirements. Award of a Contract only renders an awarded Contractor to be eligible to provide materials under the Contract. There is no guarantee that the award of a Contract will result in the award of a Purchase Order. When materials are needed, the using agency shall follow an emailed Request for Quote (RFQ) process.
3. **ADDITIONAL SUPPLIERS:** New suppliers may be added during an Open Enrollment period. Open enrollment for this multiple-award contract may be publicly solicited through supplemental bids periodically as determined by the Department of Corrections. New potential suppliers may seek to be added to the list of contracted suppliers by submitting a bid during that time. Existing contracted suppliers may seek to add additional categories to their contract by submitting a bid during that time. Additional categories required by the using agency not included in this original solicitation related to steel products may be added during that time through public solicitation.

B. BIDDING REQUIREMENTS

1. **PRICING:** Bidders are not required to submit pricing with their bid submittal. PA DOC will provide a Request for Quote (RFQ) when Steel Products are needed. Pricing should be based on market pricing available at the time the RFQ is issued by the PA DOC.
 - a) **Request for Quote (RFQ).** When Steel Products are needed by the PA DOC, they will issue a RFQ to all qualified suppliers. PA DOC will utilize a Best Value determination for their purchase under the contract. The PA DOC will issue a Purchase Order (PO) to the Supplier that provides the Best Value offer.
 - b) **Best Value Determination.** PA DOC will be required to solicit quotations from all awarded Contractors who can provide the required products. Price will be used as the primary best value factor, but other considerations such as delivery times, availability or past performance can also be utilized. The PA DOC will specify the Best Value Determination criteria on the RFQ. All quotes must be firm. If a quote is submitted with conditions, exceptions or not in conformance with the Terms and Conditions referenced in the Contract and the RFQ, it may be rejected. The quote may also be rejected if the products offered by the Supplier are not within the scope and specifications requested.

PA DOC will be permitted to procure additional types of Steel Products through this contract.

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2. **MINIMUM ORDER:** The minimum order qualifying for F.O.B. delivered price to the Commonwealth of Pennsylvania shall be \$500.00. The awarded Contractor is responsible for all shipping/freight costs in association with any order that is issued that meets the minimum order dollar amount. If the PA DOC does not meet the minimum order dollar amount, the awarded Contractor may add a reasonable freight/shipping cost accordingly or will not qualify the contract purchase requirements.
3. **DELIVERIES:** All articles ordered from this contract shall be delivered by the delivery date stated on the Purchase Order. Drivers are required to present the ST-2, Steel Certification Document, for the product, upon delivery. All bundles must be tagged with type of material and quantity, all bundles may not exceed 4,000 lbs., and all bundles must be unloaded on the side. All sheet steel must be banded onto 4-way skids.
4. **ELIGIBILITY REQUIREMENTS:** Bidders must be able to meet all of the requirements identified below and provide the appropriate documentation. Failure to meet any of the requirements below may result in the supplier's bid being rejected.
 - Bidder must comply with Steel Products Procurement Act "B" as defined in the attached Terms and Conditions.
 - Bidder must be able to provide ASTM rated Steel, when required. ASTM rated steel includes information related to the items shown on the product list. Others that can be found on the ASTM site: [Steel Standards - Standards Products - Standards & Publications - Products & Services \(astm.org\)](http://www.astm.org).
5. **RETURNS:** Any items delivered in poor condition, in excess of the amount ordered, or not included in the purchase document may, at the discretion of the Commonwealth ordering entity, be returned to the awarded Contractor at the Contractor's expense within thirty (30) days. Credit for the returned goods shall be made immediately after the awarded Contractor received the returned items. There shall be no restocking fees assessed to the Commonwealth or eligible Contract users, except if the ordering entity orders incorrectly. Incorrectly ordered item(s) will be returned to the awarded Contractor at the expense of the ordering entity, not to exceed a 10% restocking fee per item. Credit for returned goods shall be made directly after the awarded Contractor receives the returned item(s).

If a product is rejected at time of delivery, the awarded Contractor's driver will take the product back immediately. Replacement product for rejected items will be delivered to the ordering entity within five (5) calendar days or the next delivery date not to exceed fifteen (15) calendar days. Any product deemed unacceptable after delivery has been made, the ordering entity will contact the awarded Contractor's Customer Service Representative to arrange for pick-up of product(s), credit, and replacement. The awarded Contractor will remove unacceptable product(s) from the ordering entity location within one week of receipt of notification. Unacceptable product(s) left at the ordering location for more than ten (10) days will become the property of the Commonwealth to dispose of as they see fit. If invoices have been submitted, the awarded Contractor will issue credit(s) for the full amount of the product(s) purchased.

6. **RECIPROCAL LIMITATIONS ACT REQUIREMENTS (GSPUR-89) (Exhibit B):** See Section II.4 II-IFB-017.1b Reciprocal Limitations Act – Electronic Submittal (February 2007) of the Terms and Conditions for details.

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7. **WORKER PROTECTION AND INVESTMENT CERTIFICATION (Exhibit C):** 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 following all applicable Pennsylvania state labor and workforce safety laws. Such certification shall be made through the Worker Protection and Investment Certification Form (BOP-2201) and submitted with the bid, proposal, or quote.

8. **IRAN FREE PROCUREMENT CERTIFICATION & DISCLOSURE (Exhibit D):** The 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.

C. CONTRACT REQUIREMENTS

1. **REPORTS:** Upon request, awarded Contractors will be required to provide Contract usage reports. These reports at a minimum will be required to include PA DOC location, product description, quantity purchased, unit price, extended unit price, and order date. The report shall be created in a format compatible with Microsoft Excel®. The awarded Contractors may be required to submit a sample report upon notification of award to Contracting Officer via email.

2. **POST AWARD ADMINISTRATION:** The awarded Contractor’s performance shall be monitored and evaluated in accordance with the requirements outlined in the Contract. At a minimum, the awarded Contractor’s performance shall be evaluated on an annual basis. The awarded Contractor may be required to attend Contract Performance Review meetings. These meetings will be to provide the awarded Contractor performance reviews, discussion of issues either party may have concerning the Contract, or to evaluate the overall progress of the Contract. The meetings may be held quarterly, semi-annually, or annually at the discretion of the Department of Corrections (PA DOC), or upon special request of the PA DOC.

3. **SECURITY:** All awarded contractors who utilize regular delivery transportation must submit Pennsylvania Department of Correction’s (PA DOC) clearances for all drivers and their sub-contractor’s drivers (*regardless if delivery is inside or outside of the fence*). Common carriers providing these delivery services will not be required to render clearance certificates; 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. The following link will provide instruction on requesting PA DOC clearance:

<https://www.cor.pa.gov/Facilities/Documents/Volunteer%20Documents/Centralized-Clearance-Check-Information-Request.pdf>

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4. **INQUIRIES:** All inquiries regarding this solicitation or the resulting Contract should be referred to the Contracting Officer identified in the Solicitation.