



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

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TO: POTENTIAL PROPOSERS

FROM: Administrative Office of the Courts
Finance Division

DATE: August 1, 2008

SUBJECT/PURPOSE OF MEMO: **ADDENDUM NO. 2 AND QUESTIONS AND ANSWERS**
Project Title: **Statewide Office Supply Program**
Request for Proposal (RFP) Number: **FIN-0708-OS**

ACTION REQUIRED: Please review the attached response to bidder questions and the changes to RFP Number FIN-0708-OS

DATE AND TIME PROPOSAL DUE: There will not be a pre-proposal conference for this RFP.
Proposals must be received by **Tuesday, August 12, 2008, no later than 1:00 p.m. (PST).**

SUBMISSION OF PROPOSAL: Proposals must be sent to:
**Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden, RFP No. FIN-0708-OS
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102-3688**

SUBMITTAL CONTACT: **E-MAIL:** tcsolicitation@jud.ca.gov

ADDENDUM NO. 2
RFP FIN-07-08-OS (Statewide Office Supply Program)

RFP Number FIN-0708-OS is hereby amended as indicated below:

1. **Section 3.9.1** is revised as indicated below with the highlighted and italicized text (indicating additional text):

3.9.1 Required Forms

- a. Cost Proposal (including Pricing Sheets – Attachment D, sealed in a separate envelope in accordance with Section 2.3.1)
 - b. Statement of Acceptance of Terms, in accordance with Section 3.9.2
 - c. Vendor Certification Form – Attachment C
 - d. DVBE Participation Form – Attachment E (include with Cost Proposal)
 - e. Std 204, Payee Data Record – Attachment F
 - f. *Third Party Certifications – Remanufactured Toner Cartridge Standards (see Section 4.1.2.3.2)*
2. **Pricing Sheets – Attachment D** are hereby deleted and replaced with **Pricing Sheets,– Attachment D, Revision 1**. Note that the revised pricing sheets require proposers to include a discount off list price for all Non-Contract items and the number of copies per unit for all remanufactured toner cartridges. The price sheets also include additional columns for vendors to propose alternate brands for office supplies (this is in addition to the requested brand).

RESPONSES TO BIDDER QUESTIONS

The following questions have been submitted to the AOC. The questions and answers are listed below:

Question 1: Is usage information available for the Core items listed in Attachment D?

Response: A usage report for office supplies for a nine-month period in the previous fiscal year has been provided (see separate pdf file named “Usage Report”) Note that this report cannot be verified with certainty and is for the purpose of providing a general overview of purchasing patterns.

Question 2: What percentage of your overall spend is comprised of the Core items on Attachment D?

Response: For the 4th quarter of the 2007-2008 fiscal year it was approximately 94%.

Question 3: What is the average order size?

Response: For the 2007-2008 fiscal year it was approximately \$300.

Question 4: What is the total # of orders placed per year?

Response: For the 2007-2008 fiscal year it was approximately 11,400.

Question 5: Will a vendor be non-responsive if they do not provide for a DVBE partnership plan?

Response: The DVBE Participation Form – Attachment E is a required form that must be submitted (see Section 3.9 of the RFP) with the proposal. Section VI provides a contact number and internet website if a vendor requires information regarding DVBE resources.

Question 6: If DVBE is a priority for the AOC, will any additional evaluation points be awarded to supplies that provide a DVBE solution?

Response: As stated in Section VI, the AOC follows the intent of the Executive Branch DVBE program and the participation goal of 3%; however, the evaluation criterion does not include special consideration for DVBE or small business enterprises. Award will be made to the vendor who provides the best overall value based on the evaluation criteria set forth in Section 2.6 of the RFP.

Question 7: What type of media do you prefer for the submission of the electronic copy (CD, DVD, thumb drive)?

Response: CD or DVD.

Question 8: It is understood that the individual buckets of products may be awarded to multiple vendors (i.e. Supplier A is selected for office supplies; Supplier B

is selected for copy paper). Is it your intention to potentially split a single bucket amongst multiple vendors (i.e. some office supply line items to one vendor, the remaining lines/portion to another? I.e. Will Vendor A be awarded both contract and non-contract supplies?

Response: Per Section 2.4.2 “Unless otherwise specified in the solicitation, the AOC may accept any item or combination of items, as specified in the solicitation, of any proposal unless the proposer expressly restricts an item or combination of items in its proposal and conditions its response on receiving all items for which it provided a proposal. In the event that the proposer so restricts its proposal, the AOC may consider the proposer’s restriction and evaluate whether the award on such basis will result in the best value to the Purchasing Group or may determine in its sole discretion that such restriction is non-responsive and renders the proposer ineligible for further evaluation.” It is our intent to award to one bidder unless the evaluation process indicates that there is a better value to the Purchasing Group to split the award.

Question 9: Since there are certain economies of scale in providing both supplies and paper to the same location, is it acceptable for suppliers to provide two pricing schedules – one if we are awarded one, two or three commodities; another pricing schedule if we are awarded only one commodity?

Response: Yes. See Section 2.4.2 as stated in response to Question 8.

Question 10: Would we be considered responsive if we provided pricing for one or more specific buckets? If so, how would you want that proposal to be submitted? Please be specific.

Response: We will accept proposals for just office supplies, copier paper or toner, or a combination of these, to be submitted in the same manner as stated in Section 2.3. See response to Question 8, referencing Section 2.4.2 of the RFP, for additional information.

Question 11: Regarding 2.4.3 Evaluation of Pricing Sheets Paragraph 2- “Where more than one item is specified in the solicitation, the AOC reserves the right to determine the highest evaluated proposer, either on the basis of individual items, combination of items as specified in the solicitation, or on the basis of all items included in the solicitation, unless otherwise expressly provided.” Please clarify this statement.

Response: As stated in Section 2.4.1 of the RFP, the AOC will conduct a comprehensive, fair, and impartial evaluation of the proposals, including an evaluation score of the pricing proposals. The pricing proposals will be evaluated to determine the proposal that will bring best value to the Purchasing Group.

Question 12: Any reference to brand names and/or numbers in the solicitation is intended to be descriptive, but not restrictive, unless otherwise specified. Is the AOC referring to alternative but equal national brands only? Are you allowing private brands? If you are allowing private brands, how will you be able to evaluate those items since they are so different and not able to be purchased or sold by all vendors?

Response: For evaluation purposes, we will be reviewing the Core List Items only as well as the discount for Non-Contract items.. We encourage vendors to provide alternate “private brand” products in the space provided on revised Attachment D as available (**see Attachment D – Revised**). However, vendors must provide pricing for the brand requested; i.e., the price for the private brand must not be in-lieu of the brand requested but can be in addition to this price.

Question 13: Further paper price increases are expected within the industry. Will the AOC entertain multiple paper pricing proposals based on alternative price increase provisions – i.e. different price increase schedules based on longer/shorter price guarantee periods? The opportunity for greater saving for the AOC from vendors exists if vendors don’t have to forecast the Paper Market price volatility.

Response: Proposers must submit a bid based on the requirements and terms and conditions stated in the RFP. Bidders may submit one or more alternate pricing bids with multiple pricing scenarios. Although the bid submitted in response to the requirements of the RFP will be considered for evaluation purposes, the AOC may consider the alternate bids in final negotiations.

Question 14: Suppliers that provide a larger catalog assortment are at a notable disadvantage when competing in a “List-Less” environment. Will any consideration be given to the number of products each vendor avails to AOC?

Response: Consideration is given only to the products in the RFP that fall into the category of office supplies, copier paper and toner. Items such as furniture and computer supplies/equipment (other than those listed in RFP) are not included in this solicitation.

Question 15: The cost of providing internal deliveries is significant and potentially more significant in remote locations. The total cost of delivery to the AOC is a significant factor in any pricing formula. Is it possible for the AOC to identify those locations that do/or do not require internal delivery services?

Response: Even though some locations may not require inside delivery, for evaluation and pricing purposes, we cannot provide a listing of addresses that would not require inside delivery.

Question 16: Can you provide clarification on the methodology you propose to use to ensure 'Price Protection'? Please confirm that you intend to compare the overall program cost vs. individual line items.

Response: Section 4.1.8.1 provides a process for price protection. Proposals will be evaluated based on the evaluation criteria listed in Section 2.6.

Question 17: Office supplies not appearing among the Core List Items are to be considered Non-Contract office supply items and priced using a discount from published list price. See Section 4.1.8.2 for allowable adjustments to Non-Contract items. Clarification - Non contract items usually indicate not part of the contract. Non-Core usually means on contract but not part of core. All contracted items have to adhere to the contract rules – non contract items will not be considered under or part of the agreement and may be purchased without special price considerations.

Question A: Is it the intent of the AOC to allow a portion of the purchases to be off contract as described in the clarification?

Response: All office supplies, copier and toner products purchased that are Non-Contract items, as defined by Section 4.1.2.1 of the RFP, will be provided pursuant to the terms and conditions of the Master Agreement, including warranties, deliveries, etc.

Question B: For the non-core items, where the AOC wants a discount from list without requiring any other data we asked the following question; - How will the AOC know the number of items offered by the vendor?

Response: We are expecting vendors to include a catalog and/or method to obtain list pricing. We expect all prospective bidders for office supplies to have a full line of office supplies.

Question C: Since list prices differ even between the wholesalers stated in the RFP, how will the AOC determine the true best net price prior to the award? Will you require every respondent to submit a list of all products for each category with the manufacture number, the catalog number, description, unit of measure, list price, discount offered and the net price on an excel spread sheet? Will the same list need to be provided for all online products if offered?

Response: The AOC will evaluate the cost proposals based on best value (see answer to Question 11) to the Purchasing Group. We will periodically look at all Non-Contract items purchased by the Purchasing Group as part of the quarterly reviews vs. their list price to ensure that the discount structure is maintained. The Non-Contract items will be included in the Core List at that time.

Question 18: Can we provide both Brand pricing plus Alternative brand pricing for Core list items? Or must we choose between them which we want to submit?

Response: See response to Question 12.

Question 19: Where is the JCC bid evaluation process that the DVBE participation pertains to? Does a higher DVBE percentage effect lowest price requirement. If so is it significant?

Response: See response to Question 6 above.

Question 20: How do you intend to procure your paper?

Response: Purchasing Group member order paper separately and along with office supply orders. A vendor will need to fill orders as requested as stated in Sections 4.1.1 and 4.1.3.

Question 21: Can we consolidate paper purchases to minimize freight fees?

Response: Members of the Purchasing Group will place individual orders via a website, fax or possibly by a phone order. The bidder must be able to meet the delivery requirements of the individual Purchasing Group member, as required in Section 4.1.5. or as otherwise stated in any underlying Purchase Order.

Question 22: Delivery of paper – so we can ship potentially by the truck load, are weekly deliveries permitted?

Response: See response to Question 21.

Question 23: How does UPS/Fed Ex currently deliver? Does UPS or Fed Ex do inside delivery?

Response: That would be based on your relationship/agreement with the individual delivery company of choice.

Question 24: Do the rules for price increases on paper follow on non contract paper? Paper Mills have had a number of price increases this year alone.

Response: The pricing on Non-Contract copier paper is subject to a percentage off list as specified as per Section 4.1.2.2.5.

Question 25: Can you provide a list of approved compatible toner manufacturers?

Response: The AOC does not approve toner manufacturers. Refer to Section 4.1.2.3 for requirements for remanufactured toner cartridges.