



Request for Proposal 07-X-38816

For: Sporting Goods – Statewide; RE-BID

Event	Date	Time
Bidder's Electronic Question Due Date (Refer to RFP Section 1.3.1 for more information.)	06/15/06	5:00 PM
Mandatory Pre-bid Conference	N/A	
Mandatory Site Visit	N/A	
Bid Submission Due Date (Refer to RFP Section 1.3.2 for more information.)	06/29/06	2:00 PM

Dates are subject to change. All changes will be reflected in Addenda to the RFP posted on the Division of Purchase and Property website.

<p>Small Business Set-Aside (Refer to RFP Section 4.4.2.2 for more information.)</p>	<p>Status</p> <p><input type="checkbox"/> Not Applicable</p> <p><input checked="" type="checkbox"/> Entire Contract</p> <p><input type="checkbox"/> Partial Contract</p> <p><input type="checkbox"/> Subcontracting Only</p>	<p>Category</p> <p><input checked="" type="checkbox"/> I</p> <p><input checked="" type="checkbox"/> II</p> <p><input checked="" type="checkbox"/> III</p>
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RFP Issued By

State of New Jersey
Department of the Treasury
Division of Purchase and Property
Trenton, New Jersey 08625-0230

Using Agency/Agencies

State of New Jersey
Cooperative Purchasing Members

Date:

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NOTICE TO BIDDERS

SET-ASIDE CONTRACTS

N.J.S.A 52:32-17, N.J.A.C. 17:13, 12A:10

Pursuant to the provisions of the New Jersey statute and administrative code cited above, this contract, or a portion thereof, has been designated as a set-aside contract for Small Business. As such, as indicated on page one of this document, eligibility to bid is limited to bidders (or subcontractors, as applicable) that meet statutory and regulatory requirements and have had their eligibility determined by the New Jersey Commerce and Economic Growth Commission (Commerce). The definitions of each Small Business set-aside category can be found at N.J.A.C. 17:13-1.2 or N.J.A.C. 12A:10-1.2.

"Small Business" means a business that has its principal place of business in the state of New Jersey, is independently owned and operated, and has no more than 100 full-time employees.

The new program places Small Business into the following categories: (I) those with gross revenues up to \$500,000; (II) those with gross revenues of up to \$5 million; and (III) those with gross revenues that do not exceed \$12 million. While companies registered as having revenues below \$500,000 can bid on any contract, those earning more than the \$500,000 and \$5 million amounts will not be permitted to bid on contracts designated for revenue classifications below their respective levels.

Each business interested in bidding for this contract should provide, as part of its response to this solicitation, proof of its current registration as a qualifying Small Business with the New Jersey Commerce and Economic Growth Commission. Any business that seeks to register as a Small Business is required to submit a fee along with its application to Commerce.

All necessary forms and any additional information concerning registration may be obtained by contacting Commerce's office of Small Business services, by telephone at the number below, or by mail, or in person between the hours of 9:00 am and 5:00 pm at the address below:

**NEW JERSEY COMMERCE AND ECONOMIC GROWTH COMMISSION
OFFICE OF SMALL BUSINESS SERVICES
20 WEST STATE STREET - 4TH FLOOR
PO BOX 820, TRENTON, NJ 08625-0820**

TELEPHONE: 609-292-2146

1.0 INFORMATION FOR BIDDERS

1.1 PURPOSE AND INTENT

This Request for Proposal (RFP) is issued by the Purchase Bureau, Division of Purchase and Property, Department of the Treasury on behalf of Using Agencies. The purpose of this RFP is to solicit bid proposals for sporting goods.

The intent of this RFP is to award contracts to those responsible bidders whose bid proposals, conforming to this RFP are most advantageous to the State, price and other factors considered. However, the State reserves the right to separately procure individual requirements that are the subject of the contract during the contract term, when deemed by the Director to be in the State's best interest.

The NJ Standard Terms and Conditions version 01 20 06 will apply to all contracts or purchase agreements made with the State of New Jersey. These terms are in addition to the terms and conditions set forth in this RFP and should be read in conjunction with them unless the RFP specifically indicates otherwise.

The State intends to extend the contract[s] awarded to the Purchase Bureau's cooperative purchasing partners. These partners include quasi-state agencies, counties, municipalities, school districts, volunteer fire departments, first aid squads, independent institutions of higher learning, County colleges and State colleges.

Although the State, with the assent of the vendor(s), is making the use of any contract resulting from this RFP available to non-State Agencies, the State makes no representation as to the acceptability of any State RFP terms and conditions under the Local Public Contracts Law or any other enabling statute or regulation.

1.2 BACKGROUND

This is a reprocurement of the **Sporting Goods** term contract, presently due to expire on **August 31, 2006**. Bidders who are interested in the current contract specifications and pricing information may review the current contract **T-0118** at <http://www.state.nj.us/treasury/purchase/contracts.htm>.

This is a re-bid of solicitation 05-X-37483.

1.3 KEY EVENTS

1.3.1 ELECTRONIC QUESTION AND ANSWER PERIOD

The Purchase Bureau will accept questions and inquiries from all potential bidders electronically via web form. To submit a question, please go to Current Bid Opportunities webpage or to <http://ebid.nj.gov/QA.aspx>

Questions should be directly tied to the RFP and asked in consecutive order, from beginning to end, following the organization of the RFP. Each question should begin by referencing the RFP page number and section number to which it relates.

Bidders are not to contact the Using Agency directly, in person, by telephone or by email, concerning this RFP.

The cut-off date for electronic questions and inquiries relating to this RFP is indicated on the cover sheet. Addenda to this RFP, if any, will be posted on the Purchase Bureau website after the cut-off date (see Section 1.4.1. of this RFP for further information.)

1.3.2 SUBMISSION OF BID PROPOSAL

In order to be considered for award, the bid proposal must be received by the Purchase Bureau of the Division of Purchase and Property at the appropriate location by the required time. **ANY BID PROPOSAL NOT RECEIVED ON TIME AT THE LOCATION INDICATED BELOW WILL BE REJECTED. THE DATE AND TIME IS INDICATED ON THE COVER SHEET. THE LOCATION IS AS FOLLOWS:**

**BID RECEIVING ROOM - 9TH FLOOR
PURCHASE BUREAU
DIVISION OF PURCHASE AND PROPERTY
DEPARTMENT OF THE TREASURY
33 WEST STATE STREET, P.O. BOX 230
TRENTON, NJ 08625-0230**

Directions to the Purchase Bureau can be found at the following web address:

<http://www.state.nj.us/treasury/purchase/directions.shtml>

Note: Bidders using USPS Regular or Express mail services should allow additional time since USPS mail deliveries are not delivered directly to the Purchase Bureau.

1.4 ADDITIONAL INFORMATION

1.4.1 ADDENDA: REVISIONS TO THIS RFP

In the event that it becomes necessary to clarify or revise this RFP, such clarification or revision will be by addendum. Any addendum to this RFP will become part of this RFP and part of any contract awarded as a result of this RFP.

ALL RFP ADDENDA WILL BE ISSUED ON THE DIVISION OF PURCHASE AND PROPERTY WEB SITE. TO ACCESS ADDENDA, SELECT THE BID NUMBER ON THE BIDDING OPPORTUNITIES WEB PAGE AT THE FOLLOWING ADDRESS:

<HTTP://WWW.STATE.NJ.US/TREASURY/PURCHASE/BID/SUMMARY/BID.SHTML>.

There are no designated dates for release of addenda. Therefore interested bidders should check the Purchase Bureau "Bidding Opportunities" website on a daily basis from time of RFP issuance through bid opening.

It is the sole responsibility of the bidder to be knowledgeable of all addenda related to this procurement.

1.4.2 BIDDER RESPONSIBILITY

The bidder assumes sole responsibility for the complete effort required in submitting a bid proposal in response to this RFP. No special consideration will be given after bid proposals are opened because of a bidder's failure to be knowledgeable as to all of the requirements of this RFP.

1.4.3 COST LIABILITY

The State assumes no responsibility and bears no liability for costs incurred by a bidder in the preparation and submittal of a bid proposal in response to this RFP.

1.4.4 CONTENTS OF BID PROPOSAL

Subsequent to bid opening, all information submitted by bidders in response to the bid solicitation is considered public information, except as may be exempted from public disclosure by the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., and the common law. A bidder may designate specific information as not subject to disclosure when the bidder has a good faith legal/factual basis for such assertion. The State reserves the right to make the determination and will advise the bidder accordingly. The location in the bid proposal of any such designation should be clearly stated in a cover letter. **The State will not honor any attempt by a bidder either to designate its entire bid proposal as proprietary and/or to claim copyright protection for its entire proposal.**

All bid proposals, with the exception of information determined by the State to be proprietary, are available for public inspection.

Interested parties can make an appointment with the Purchase Bureau to inspect bid proposals received in response to this RFP.

1.4.5 PRICE ALTERATION

Bid prices must be typed or written in ink. Any price change (including "white-outs") must be initialed. Failure to initial price changes shall preclude a contract award from being made to the bidder.

1.4.6 JOINT VENTURE

If a joint venture is submitting a bid proposal, the agreement between the parties relating to such joint venture should be submitted with the joint venture's bid proposal. Authorized signatories from each party comprising the joint venture must sign the bid proposal. A separate Ownership Disclosure Form, Disclosure of Investigations and Actions Involving Bidder, Affirmative Action Employee Information Report, MacBride Principles Certification, and Business Registration or Interim Registration must be supplied for each party to a joint venture.

1.5 PRICE LIST AND/OR CATALOG PRICING

The bidder's signature guarantees that prices set forth within the manufacturer's preprinted price lists and/or catalogs will govern for the period of the contract. The bidder also acknowledges that, notwithstanding any reference to price escalation clauses, FOB shipping point, and shipping charges contained in the preprinted price lists, catalogs, and/or literature, such references will not be part of any State contract awarded as a result of this RFP.

2.0 DEFINITIONS

2.1 GENERAL DEFINITIONS

The following definitions will be part of any contract awarded or order placed as result of this RFP.

Addendum - Written clarification or revision to this RFP issued by the Purchase Bureau.

Amendment - A change in the scope of work to be performed by the contractor after contract award. An amendment is not effective until signed by the Director, Division of Purchase and Property or his/her designee.

Bidder – A vendor submitting a bid proposal in response to this RFP.

Contract - This RFP, any addendum to this RFP, the bidder's bid proposal submitted in response to this RFP and the Division's Notice of Acceptance.

Contractor - The contractor is the bidder awarded a contract.

Director - Director, Division of Purchase and Property, Department of the Treasury. By statutory authority, the Director is the chief contracting officer for the State of New Jersey.

Division - The Division of Purchase and Property.

Joint Venture – A business undertaking by two or more entities to share risk and responsibility for a specific project.

May - Denotes that which is permissible, but not mandatory.

Request for Proposal (RFP) - This document, which establishes the bidding and contract requirements and solicits bid proposals to meet the purchase needs of [the] Using Agency[ies], as identified herein.

Shall or Must - Denotes that which is a mandatory requirement.

Should - Denotes that which is recommended, but not mandatory.

State - State of New Jersey

Using Agency[ies]- The entity[ies] for which the Division has issued this RFP.

3.0 COMMODITY DESCRIPTION/SCOPE OF WORK

3.1 SCOPE OF WORK

The specifications cover various categories of sporting good items and equipment required by State Agencies and Cooperative Purchasing Partners. **This RFP strictly prohibits the purchase or sale of any type of clothing or shoes, sports related or otherwise.**

This RFP has numerous pricing lines for accessories within specific categories identified in this RFP. The Purchase Bureau's Contract Compliance Unit will be closely monitoring the ordering of accessory items, as well as all other items. Refer to Section 3.41 "Associated Items" of this RFP concerning items which may be ordered under contract resulting from this RFP.

The following are a listing of the categories which will be covered in this RFP:

<u>Category</u>	<u>Sport</u>	<u>Sub-Category</u>
A-1	Baseball/Softball	Balls
A-2	Baseball/Softball	Bats
A-3	Baseball/Softball	Gloves
A-4	Baseball/Softball	Accessories
A-5	Baseball/Softball	Equipment (Protective)
A-6	Baseball/Softball	Bases
B-1	Basketball	Balls
B-2	Basketball	Equipment
B-3	Basketball	Accessories
C-1	Football	Balls
C-2	Football	Personal Protective Equipment
C-3	Football	Accessories
D-1	Ice Hockey	Pucks
D-2	Ice Hockey	Personal Equipment
D-3	Ice Hockey	Rink Equipment
E-1	Field Hockey	Balls
E-2	Field Hockey	Personal Equipment
E-3	Field Hockey	Field Equipment
F-1	Lacrosse	Balls
F-2	Lacrosse	Personal Equipment
F-3	Lacrosse	Field Equipment
G-1	Volleyball	Balls
G-2	Volleyball	Equipment & Accessories
H-1	Tennis	Balls
H-2	Tennis	Rackets
H-3	Tennis	Accessories
I-1	Golf	Balls
I-2	Golf	Clubs - Individual
I-3	Golf	Clubs - Sets
I-4	Golf	Accessories
I-5	Golf	Putting Greens
J-1	Boxing	Personal Equipment
J-2	Boxing	Accessories
K-1	Soccer	Balls
K-2	Soccer	Goals & Nets
K-3	Soccer	Accessories
L-1	Track & Field	Throwing Equipment

L-2	Track & Field	Running Equipment
L-3	Track & Field	Jumping Equipment
M-1	Mats	Mats
M-2	Pads	Pads
M-3	Mats & Pads	Wrestling Mats
N-1	Exercise Equipment (Cardio)	Treadmills
N-2	Exercise Equipment (Cardio)	Elliptical Trainers
N-3	Exercise Equipment (Cardio)	Rowing Machines
N-4	Exercise Equipment (Cardio)	Stationary Bikes
O-1	Weights	Bars/Collars
O-2	Weights	Dumbbells
O-3	Weights	Plate Weights
O-4	Weights	Benches/Seats
O-5	Weights	Weight Machines
O-6	Weights	Accessories
P-1	Games	Adult Board and Table Games
P-2	Games	Cards
Q-1	Badminton	Complete Sets
Q-2	Badminton	Racquets
Q-3	Badminton	Accessories
R-1	Pool & Billiards	Tables
R-2	Pool & Billiards	Accessories
S-1	Equipment Bags	All Types
T-1	Foosball	Tables
T-2	Foosball	Accessories & Repair Parts
U-1	Outdoor Yard Games	All Types
V-1	Table Tennis	Tables
V-2	Table Tennis	Accessories
W-1	Whistles	All Types
X-1	Lanyards	All Types
X-2	Marking Cones	All Types
Y-1	Intramural Vests	All Types
Z-1	Jump Ropes	All Types
AA-1	Ball	Playground, Medicine, Etc.
AB-1	Marking Tape	All Types
AB-2	Field Equipment	Line Markers for all sports
AC	Wrestling	All Types

Bidders must offer at a minimum at least one brand and no more than five brands, if applicable, for all sub-categories listed above.

3.1.1 BRAND DESIGNATION

For evaluation purposes bidders are to designate which two brands for each sub category within a category they wish to use for bid evaluation only. If you bid only one brand your bid will be evaluated for that brand only. The bidder should keep in mind that its bid proposal is being evaluated not only on price, but also the breadth of line for the brands designated. Only bidding one brand compared to two brands may leave the bidder at a disadvantage.

If a bidder fails to designate two brands, if applicable, the State reserves the right to pick two of the brands bid in order to evaluate the bid proposal.

The bidder is to designate which brands they wish to have evaluated on Attachment #1 of this RFP. The Attachment #1 is located on the Advertised Solicitation, Current Bid Opportunities webpage <http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>.

3.2 COVERAGE

The bidder is required to accept and deliver complete orders from all State Agencies and Cooperative Purchasing Members, regardless of geographic location, in order to be eligible for award. Failure to cover the entire State will result in the rejection of its bid proposal.

3.3 CODES, STANDARDS AND CERTIFICATIONS

3.3.1 All equipment and accessories (if applicable) shall meet or exceed all established codes, standards and certifications with respect to the durability, performance, and life safety, including all applicable OSHA requirements.

3.3.2 They shall also comply, at a minimum, with the following applicable codes, standards and certifications and any updates thereof, appropriate to the category or categories bid;

AAU - Amateur Athletic Union

ASA - Amateur Softball Association.

ASTM - American Society for Testing and Materials

FIVB - Federation Internationale de Volley-Ball

HECC - Hockey Equipment Certification Council

ILF - International Lacrosse Federation

ISF - International Soccer Federation

ITF - International Tennis Federation

ITTF - International Table Tennis Federation

IWF - International Weightlifting Federation

NCAA - National Collegiate Athletic Association

NFL - National Football League

NFSHA/NFHS - National Federation of State High School Associations

NJSIAA – New Jersey State Interscholastic Athletic Association

NOCSAE - National Operating Committee on Standards and Certifications for Athletic Equipment

UL - Underwriter's Laboratory (UL) approval for all electrical components.

USA Boxing - Governing body of the sport of boxing.

USATF - United States Track Federation

USBTS - United States Badminton Tournament Standards and certifications

USSF - United States Soccer Federation

USWA - United States Weight Association

3.4 BASEBALL/SOFTBALL - CATEGORY "A" (PRICE LINES 00001-00006)

A-1 - BALLS (PRICE LINE 00001)

This line item is to cover all types of baseballs and softballs that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

A-2 - BATS (PRICE LINE 00002)

This line item is to cover all types of bats (wood and metal) that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

A-3 - GLOVES (PRICE LINE 00003)

This line item is to cover all types of baseball gloves, softball gloves and catchers' mitts and first basemen's gloves that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

A-4 - ACCESSORIES (PRICE LINE 00004)

This line item is to include batters gloves, laces, glove oil, etc. that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP specific to the sport of baseball.

A-5 - PLAYER & UMPIRE PROTECTIVE EQUIPMENT (PRICE LINE 00005)

This line item is to include all protective equipment for players and umpires, batting helmets, all catcher's equipment, etc. that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

A-6 - BASES (PRICE LINE 00006)

This line item is to cover all types of anchored and thrown down bases that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.5 BASKETBALL - CATEGORY B (PRICE LINES 00007-00009)

B-1 - BALLS (PRICE LINE 00007)

This line is to cover men's, women's and children's basketballs for indoor/outdoor use that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

B-2 - EQUIPMENT (PRICE LINE 00008)

This line is to cover basketball equipment including rims and nets, poles, backboards, portable goals, etc. that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

B-3 - ACCESSORIES (PRICE LINE 00009)

This line item is to include indoor/outdoor replacement nets, ball racks, inflation needles, pumps, etc. specific to the sport of basketball that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.6 FOOTBALL - CATEGORY C (PRICE LINES 00010-00012)

C-1 - BALLS (PRICE LINE 00010)

This line is to cover football that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

C-2 - PERSONAL PROTECTIVE EQUIPMENT (PRICE LINE 00011)

This line is to cover personal protective equipment to include but not be limited to, helmets, padding that meets all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

C-3 - ACCESSORIES (PRICE LINE 00012)

This line item is to include flag football belts, flags, tees, corner flags, side liners, etc. specific to the sport of football. All field marking equipment is excluded from this line item. Field marking equipment is covered under Category AB of this RFP.

3.7 ICE HOCKEY - CATEGORY D (PRICE LINES 00013-00015)

D-1 - PUCKS (PRICE LINE 00013)

This line item is to cover hockey pucks that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

D-2 - PERSONAL EQUIPMENT (PRICE LINE 00014)

This line item is to cover padding, helmets, sticks, gloves, etc. All equipment must meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

D-3 - RINK EQUIPMENT (PRICE LINE 00015)

This line item is to cover nets, goals, etc. specific to the sport of ice hockey that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.8 FIELD HOCKEY - CATEGORY E (PRICE LINES 00016 - 00018)

E-1 - BALLS (PRICE LINE 00016)

This line item is to cover balls that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

E-2 - PERSONAL EQUIPMENT (PRICE LINE 00017)

This line item is to cover personal equipment including shin guards, helmets, sticks, etc. that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

E-3 - FIELD EQUIPMENT (PRICE LINE 00018)

This line item is to cover field equipment including goals, etc. specific to the sport of field hockey that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.9 LACROSSE - CATEGORY F (PRICE LINES 00019-00021)

F-1 - BALLS (PRICE LINE 00019)

This line item is to cover balls that meet the requirements of the Lacrosse Association and all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

F-2 - PERSONAL EQUIPMENT (PRICE LINE 00020)

This line item is to cover personal equipment including helmets, sticks, gloves, shoulder pads, etc. specific to the sport of lacrosse that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

F-3 - FIELD EQUIPMENT (PRICE LINE 00021)

This line item is to cover personal equipment including goals, nets, etc. specific to the sport of lacrosse that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.10 VOLLEYBALL - CATEGORY G (PRICE LINES 00022-00023)

G-1 - BALLS (PRICE LINE 00022)

This line item is to cover all types of backyard, recreational, training and competition volleyballs for men, women and children of all ages. The range of balls must be for both indoor and outdoor play and meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

G-2 - EQUIPMENT AND ACCESSORIES (PRICE LINE 00023)

This line item is to cover nets, posts, etc. and meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.11 TENNIS - CATEGORY H (PRICE LINE 00024-00026)

H-1 - BALLS (PRICE LINE 00024)

This line item is to cover balls that meet the regulation requirement. Bidders must be able to provide tennis balls for fast, medium and slow speeds, as well as, practice grade for all brands bid. The balls must meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

H-2 - RACKETS (PRICE LINE 00025)

This line item is to in cover all type of tennis rackets; wood, metal, composite, etc that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

H-3 - ACCESSORIES (LINE 00026)

This line item is to cover nets, windscreens, etc. that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.12 GOLF - CATEGORY I (PRICE LINES 00027-00031)

I-1 - BALLS (PRICE LINE 00027)

This line item is to cover balls that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

I-2 - CLUBS - INDIVIDUAL (PRICE LINE 00028)

This line item is to cover all types of clubs that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

I-3 - CLUBS - SETS (PRICE LINE 00029)

This line item is to cover complete sets of golf clubs. The sets must include woods 1, 2 and 3, Irons 4, 5, 6, 7, 8, 9, a putter, a sand wedge along with a golf bag. The sets must meet all applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

I-4 - ACCESSORIES (PRICE LINE 00030)

This line item is to cover tees, gloves, golf bags, club carriers, etc. specific to the sport of golf.

I-5 - PUTTING GREENS (PRICE LINE 00031)

This line item is to cover all putting greens that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.13 BOXING - CATEGORY J (PRICE LINES 00032-00033)

J-1 - PERSONAL EQUIPMENT (PRICE LINE 00032)

This line item is to cover gloves, headgear, training bags, striking bags, heavy bags, etc. that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

J-2 - ACCESSORIES (PRICE LINE 00033)

This line item is to cover mouthpieces, timers, hand wraps, etc. specific to the sport of boxing that meet all the applicable codes, standards and certifications as listed in Section 3.3 of the RFP.

3.14 SOCCER - CATEGORY K (PRICE LINES 00034-00036)

K-1 - BALLS (PRICE LINE 00034)

This line item is to cover for all size soccer balls for men, women and children for indoor/outdoor use. The line of balls must cover practice and game type balls. They must meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

K-2 - GOALS AND NETS (PRICE LINE 00035)

This line item is to cover all types of soccer goals and nets (permanent and portable) that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

K-3 - ACCESSORIES (PRICE LINE 00036)

This line items is to cover corner flags, shin guards, etc. specific to the sport of soccer. All accessories must meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.15 TRACK AND FIELD - CATEGORY L (PRICE LINES 00037-00039)

L-1 - THROWING EQUIPMENT (PRICE LINE 00037)

This line item is to cover all types of throwing equipment associated with a track meet (i.e. shot put, javelin, discus, etc.) that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

L-2 - RUNNING EQUIPMENT (PRICE LINE 00038)

This line item is to cover all types of running equipment associated with a track meet with the exception of shoes (i.e. hurdles, batons, starting blocks, etc.) that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

L-3 - JUMPING EQUIPMENT (PRICE LINE 00039)

This line item is to cover all type of jumping equipment associated with a tract meet (i.e. pole vault, high jump, broad jump, jumping pits, etc.) with the exception of mats and pads that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP. All mats and pads are to be purchased under Section 3.18 M-1 and M-2 of this RFP.

3.16 MATS & PADS - CATEGORY M (PRICE LINES 00040-00042)

M-1 MATS (PRICE LINE 00040)

This line item is to cover all types of mats (i.e. floor exercise, tumbling, etc.). **This line item excludes wrestling mats and reconditioned mats and pads.** All mats must meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

M-2 PADS (PRICE LINE 00041)

This line item is to cover all types of wall and post pads that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

M-3 WRESTLING MATS (PRICE LINE 00042)

This line item is to cover all types of wrestling mats which meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.17 EXERCISE EQUIPMENT (CARDIO) - CATEGORY N (PRICE LINES 00043-00046)

N-1 - TREADMILLS (PRICE LINE 00043)

This line item is to cover light commercial use through commercial use treadmills. All treadmills must meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

N-2 - ELLIPTICAL TRAINERS (PRICE LINE 00044)

This line item is to cover light commercial use through commercial use elliptical trainers. All elliptical trainers must meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

N-3 - ROWING MACHINES (PRICE LINE 00045)

This line item is to cover light commercial use through commercial use rowing machines. All rowing machines must meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

N-4 - STATIONARY BIKES (PRICE LINE 00046)

This line item is to cover light commercial use through commercial stationary bikes machines. All stationary bikes must meet all applicable codes, standards and certification as listed in Section 3.3 of the RFP.

3.18 WEIGHTS - CATEGORY O (PRICE LINES 00047-00052)

O-1 - BARS/COLLARS (PRICE LINE 00047)

This line item is to cover all bars/collars that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

O-2 - DUMBBELLS (PRICE LINE 00048)

This line item is to cover all types of dumbbells that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

O-3 - PLATE WEIGHTS - (PRICE LINE 00049)

This line item is to cover plates with grips and without grips to be priced per pound and 300 pound sets of weights that consist of plates, bars, collars, etc. that meet all the applicable codes, standard and certification as listed in Section 3.3 of this RFP.

O-4 - BENCHES/SEATS - (PRICE LINE 00050)

This line item is to cover all types of benches/seats that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

O-5 - WEIGHT MACHINES - (PRICE LINE 00051)

This line item is to cover all types of weight machines that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

O-6 – WEIGHT ACCESSORIES - (PRICE LINE 00052)

This line item is to cover weight racks, weightlifting gloves, weightlifting belts, etc specific to the sport of weightlifting.

3.19 GAMES - CATEGORY P (PRICE LINES 00053-00054)

P-1 - ADULT BOARD AND TABLE GAMES (PRICE LINE 00053)

This line item is to cover chess, checkers, scrabble, dominoes, etc.

P-2 - CARDS (PRICE LINE 00054)

This line item is to cover playing cards (52 cards), Uno, canasta, etc.

3.20 BADMINTON - CATEGORY Q (PRICE LINES 00055-00057)

This line item is to cover badminton equipment that will range from commercial, backyard, and recreational equipment.

Q-1 - COMPLETE SETS (PRICE LINE 00055)

This line item is to cover complete badminton sets to include net, posts, racquets and shuttlecocks. Complete sets must meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

Q-2 - RACQUETS (PRICE LINE 00056)

This line item is to cover all types of racquets for the use of badminton only.

Q-3 - ACCESSORIES (PRICE LINE 00057)

This line item is to cover nets, shuttlecocks, net post, etc. specific to the sport of badminton when the purchase of a complete set is not needed, that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.21 POOL AND BILLIARDS - CATEGORY R (PRICE LINES 00058-00059)

R-1 - TABLES (PRICE LINE 00058)

This line item is to cover all types of pool tables that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

R-2 - ACCESSORIES (PRICE LINE 00059)

This line item is to cover balls, cues, pool sticks, ball racks, table brushes, chalk, etc. specific to the sport of pool and billiards, that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.22 UNIFORM AND EQUIPMENT BAGS - CATEGORY S - (PRICE LINE 00060)

S-1 - UNIFORM AND EQUIPMENT BAGS

This line item is to cover all types of uniform and equipment bags for balls, bats, and miscellaneous equipment etc.

3.23 FOOSBALL - CATEGORY T (PRICE LINES 00061-00062)

T-1 - TABLES (PRICE LINE 00061)

This line item is to cover for all foosball tables that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

T-2 - ACCESSORIES & REPAIR PARTS (PRICE LINE 00062)

This line item is to cover all types of accessories and repair parts specific to foosball tables that meet all the applicable codes, standards and certifications listed in Section 3.3 of this RFP.

3.24 OUTDOOR YARD GAMES - CATEGORY U (PRICE LINES 00063)

U-1 - OUTDOOR YARD GAME

This line item is to cover horseshoes sets, bocce sets, croquet sets, shuffleboard, quoits, etc. that meet all the applicable codes, standards and certification listed in Section 3.3 of this RFP.

3.25 TABLE TENNIS - CATEGORY V (PRICE LINE 00064-00065)

V-1 TABLES (PRICE LINE 00064)

This line item is to cover table tennis tables which meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

V-2 - ACCESSORIES (PRICE LINE 00065)

This line item is to cover nets, balls, etc. specific to the sport of table tennis that meet all the applicable codes, standards and certifications listed in Section 3.3 of this RFP.

3.26 WHISTLES - CATEGORY W - (PRICE LINE 00066)

W-1 - WHISTLES - (PRICE LINE 00066)

This line item is to cover all types of whistles for sporting games and practices.

3.27 LANYARDS & MARKING CONES - CATEGORY X (PRICE LINE 00067-00068)

X-1 - LANYARDS (PRICE LINE 00067)

This line item is to cover all types of lanyards that meet all the applicable codes, standards and certifications listed in Section 3.3 of this RFP.

X-2 - MARKING CONES (PRICE LINE 00068)

This line item is to cover all types of marking cones for all sports that meet all the applicable codes, standards and certifications listed in Section 3.3 of this RFP.

3.28 INTRAMURAL VEST - CATEGORY Y (PRICE LINE 00069)

Y-1 - INTRAMURAL VEST - (PRICE LINE 00069)

This line item is to cover all types of intramural vest (i.e. mesh, vinyl, nylon, etc.) that meet all applicable codes, standards and certification as listed in Section 3.3 of this RFP.

3.29 JUMP ROPES - CATEGORY Z (PRICE LINE 00070)

Z-1 - JUMP ROPES (PRICE LINE 00070)

This line item is to cover all types of jump ropes that meet all the applicable codes, standards and certifications listed in Section 3.3 of this RFP.

3.30 BALLS - CATEGORY AA (PRICE LINE 00071)

AA-1 - BALLS (PRICE LINE 00071)

This line item is to cover all miscellaneous balls not covered under any other category within this RFP. (i.e. rubber playground, medicine etc.)

3.31 MARKING TAPE & FIELD EQUIPMENT - CATEGORY AB (PRICE LINE 00072-00073)

AB-1 - MARKING TAPE (PRICE LINE 00072)

This line item is to cover all types of marking tape that meet all the applicable codes, standards and certification as listed in Section 3.3. of this RFP.

AB-2 - FIELD EQUIPMENT (PRICE LINE 00073)

This line item is to cover all types of line marking equipment for football, soccer, baseball, etc that meet all the applicable codes, standards and certifications listed in Section 3.3 of this RFP.

3.32 WRESTLING – CATEGORY AC (PRICE LINE 74)

This line item is to cover all types of wrestling equipment, with the exception of mats, and any other items covered under another category within this RFP, that meet all the applicable codes, standards and certifications as listed in Section 3.3 of this RFP.

3.33 DELIVERY

3.33.1 Packing for shipment shall be provided to adequately protect the product and insure safe shipment.

3.33.2 Shipping cases shall be marked to show the name of the contractor, name and address of receiving Using Agency and purchase order number.

3.33.3 The bidder shall furnish, in the space provided on the bid pricing sheets, a delivery schedule for each price line as to time required for delivery after receipt of order (ARO). The contractor must notify the Using Agency at least forty-eight (48) hours in advance of shipment so that necessary arrangements can be made. The contractor must be able to make delivery and have product available for delivery to all parts of the State. Delivery must be completed within **60 days** after receipt of order. A bid proposal listing a delivery schedule in excess of **60 days** will be rejected.

3.33.4 All deliveries shall be made during regular working hours, 8:00 a.m. to 4:30 p.m., Monday through Friday. Changes may be granted with the prior written approval by the Using Agency.

3.33.5 In the event the contractor fails to meet its delivery commitments, the Director reserves the right to authorize the Using Agency to obtain product necessary to function properly from any available source. In such event, the order will be canceled and any difference in price shall be paid by the defaulting contractor.

3.33.6 Deliveries shall be made at such time and in such quantities as ordered, in strict accordance with the instructions from the Using Agency.

3.33.7 The contractor shall be responsible for the delivery of product and equipment in first-class condition at the point of delivery, and in accordance with good commercial practice.

3.33.8 Product lines supplied must be strictly in accordance with those contained in the contract award.

3.34 MANUFACTURER'S WARRANTY

3.34.1 All products must be new and of the latest design and shall be of current manufacture, i.e., within the twelve (12) month period preceding delivery.

3.34.2 All units must be warranted and/or guaranteed for a period of at least one (1) year including parts. The warranty will cover service, transportation, upgrades and all associated costs for warranty work. The beginning date of the warranty shall be from date of delivery.

3.34.3 The contractor shall replace or repair any unit which does not perform according to the specifications at any time during the warranty period. Contractor must, at a minimum, call the Using Agencies back within 48 hours of receiving a call. It is the contractor's responsibility to absorb all costs associated with replacing a defective product, including all shipping costs.

3.35 U.L. CERTIFICATION:

If requested the bidder shall submit to the to the Purchase Bureau proof that any or all products furnished under this specification conform to the standards and certifications of the Underwriter's Laboratories, Inc., regarding fire and casualty hazards. The label, marker, listing, or certified report of the Underwriter's Laboratories, Inc., will be accepted as evidence of compliance for this requirement. The bidder will have five (5) working days from written or verbal request to submit the UL certification and any proof of applicable standards as listed in Section 3.3 of the RFP.

3.36 OFFICIAL NEW JERSEY PRICE LISTS AND WRITTEN CONTRACT PRICE QUOTATION TO AGENCIES

3.36.1 After contract award, the contractor shall furnish, upon request, copies of the Official New Jersey price lists identical to those submitted with its bid proposal to all State and local agencies requesting same at no additional cost.

3.36.2 If solicited, a contractor must provide a written quotation on its letterhead or proposal form. A quotation submitted by a contractor's representative (i.e. dealer, distributor, etc.)

may be on the representative's letterhead or proposal form, but must list the contractor's complete name, address, phone number and a representative from the contractor's staff to contact for information concerning the proposal. All proposals must be signed, and include, at a minimum, the following:

3.36.2.1 Product Identity - Name of manufacturer

3.36.2.2 The contract number and contract line from which the product and pricing are derived.

3.36.2.3 Detailed listing of all units to be delivered and placed by model/part number/description and unit list price for each item, identified with page number reference to the contract price list.

3.36.3 Vouchers submitted for payment must also list the information listed above.

3.36.4 NOTE: Quotations or invoices submitted that do not comply with the criteria listed above will be subject to rejection and may require re-submission before the order document can be issued or the payment processed. This information can be found in the State Notice of Term Contract Award (NOA).

3.37 QUANTITIES

3.37.1 The State reserves the right to order any quantity necessary to meet the Using Agency's requirements. However, no guarantee is made by the Director to purchase any minimum or maximum amount of product from any contractor.

3.38 REPLACEMENT OF UNSATISFACTORY PRODUCT

In the event the product supplied is, in the opinion of the State or any Using Agency, not giving satisfactory performance or requires an excessive amount of remedial maintenance, the contractor shall remove and replace the defective unit(s) as per the original RFP specifications. This will be done within ten (10) days after receiving written notice from the State. There will be no cost to the State. Failure to comply may result in the said unit(s) being canceled from the contract and similar units obtained from another contract vendor with transportation and installation costs borne by the original contractor.

3.39 ADDITION OF NEW ITEMS

The bidder may add new products **ONLY** when the contract listed codes, standards and/or certifications as per Section 3.3 of this RFP have changed and these changes would require the production of a new product or the use of an existing product that had not been on contract. To apply, the contractor must write to the buyer of record stating that a new standard, code and/or certification has been implemented along with supporting documentation. The contractor must also provide in its letter, the brand, model #, precise and clear description of the product and the net price to the State. The State will not be able to approve any new products without all the above information.

3.40 REPLACEMENT OF DISCONTINUED PRODUCTS

The contractor may offer replacement products for any manufacturer discontinued item in its contract. The replacement item **MUST** be a like item and must not exceed a 5% price increase over the discontinued item. All replacement products must be approved by the State.

The contractor must write to the buyer of record stating that an item has been discontinued by the manufacturer along with supporting documentation from that manufacturer that the item has been discontinued. The contractor must provide in its letter the model # of the new product being offered, detailed literature, along with the net price of that product. The State will not be able to approve a replacement of a discontinued item without all of the above information.

3.41 ASSOCIATED ITEMS

There are many categories within this bid proposal that allow the bidder to provide associated items.

Bidders are strongly advised to only include associated items that are specific to the category for which they bid. Any item deemed by the State not to be specific to that category but rather a generic sporting item or designated in another category within this RFP will be excluded from the bidder's Official State of New Jersey price list.

3.42 PRICE INCREASES

The contractor may be permitted a price increase eighteen months (18) into the contract. In order to receive a price increase, the contractor must write a letter to the buyer of record eight weeks prior to the 18 month mark. The contractor must include with their letter correspondence from **each** manufacturer stating the percentage discount that the manufacturer's prices have increased since the time of bid opening. Upon approval from the State the contractor will have up to the eighteen month mark to provide the Purchase Bureau with an updated excel price list. If the contractor does not submit the new excel price list by the beginning of the eighteen (18) month mark the existing contract prices will prevail for the duration of the contract. There will be no other price increases if the contract is extended beyond the two year period.

4.0 BID PROPOSAL PREPARATION AND SUBMISSION

4.1 GENERAL

The bidder is advised to thoroughly read and follow all instructions contained in this RFP, including the instructions on the RFP's signatory page, in preparing and submitting its bid proposal.

4.2 BID PROPOSAL DELIVERY AND IDENTIFICATION

In order to be considered, a bid proposal must arrive at the Purchase Bureau in accordance with the instructions on the RFP signatory page <http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>. Bidders are cautioned to allow adequate delivery time to ensure timely delivery of bid proposals. **State regulation mandates that late bid proposals are ineligible for consideration. THE EXTERIOR OF ALL BID PROPOSAL PACKAGES ARE TO BE LABELED WITH THE BID IDENTIFICATION NUMBER AND THE FINAL BID OPENING DATE OR RISK NOT BEING RECEIVED IN TIME.**

4.3 NUMBER OF BID PROPOSAL COPIES

The bidder must submit **one (1) complete ORIGINAL bid proposal**, clearly marked as the "ORIGINAL" bid proposal. The bidder should submit **two (2) full, complete and exact copies** of the original. The copies requested are necessary in the evaluation of the bid proposal. A bidder failing to provide the requested number of copies will be charged the cost incurred by the State in producing the requested number of copies. It is suggested that the bidder make and retain a copy of its bid proposal.

A bidder failing to provide the requested number of copies will be charged the cost incurred by the State in producing the requested number of copies. It is suggested that the bidder make and retain a copy of its bid proposal.

4.4 BID PROPOSAL CONTENT

4.4.1 FORMS THAT MUST BE SUBMITTED WITH BID PROPOSAL

4.4.1.1 SIGNATORY PAGE

The bidder shall complete and submit the Signatory page provided on the Advertised Solicitation, Current Bid Opportunities webpage <http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>. The Signatory page shall be signed by an authorized representative of the bidder. If the bidder is a limited partnership, the Signatory page must be signed by a general partner. If the bidder is a joint venture, the Signatory page must be signed by a principal of each party to the joint venture. Failure to comply will result in rejection of the bid proposal.

4.4.1.2 OWNERSHIP DISCLOSURE FORM

In the event the bidder is a corporation, partnership or sole proprietorship, the bidder must complete the attached Ownership Disclosure Form. A current completed Ownership Disclosure Form must be received prior to or accompany the bid proposal. Failure to do so will preclude the award of a contract.

The Ownership Disclosure Form is located on the Advertised Solicitation, Current Bid Opportunities webpage <http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>.

4.4.1.3 DISCLOSURE OF INVESTIGATIONS/ACTIONS INVOLVING BIDDER

The bidder shall provide a detailed description of any investigation, litigation, including administrative complaints or other administrative proceedings, involving any public sector clients during the past five years including the nature and status of the investigation, and, for any litigation, the caption of the action, a brief description of the action, the date of inception, current status, and, if applicable, disposition. The bidder shall use the Disclosure of Investigations and Actions Involving Bidder form located on the Advertised Solicitation, Current Bid Opportunities webpage <http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>.

4.4.2 PROOF OF REGISTRATIONS THAT MUST BE SUBMITTED WITH THE BID PROPOSAL

4.4.2.1 BUSINESS REGISTRATION CERTIFICATE FROM THE DIVISION OF REVENUE

FAILURE TO SUBMIT A COPY OF THE BIDDER'S BUSINESS REGISTRATION CERTIFICATE (OR INTERIM REGISTRATION) FROM THE DIVISION OF REVENUE WITH THE BID PROPOSAL MAY BE CAUSE FOR REJECTION OF THE BID PROPOSAL.

The bidder may go to www.nj.gov/njbgs to register with the New Jersey Division of Revenue or to obtain a copy of an existing Business Registration Certificate.

Refer to Section 1.1. of the NJ Standard Terms and Conditions version 01 20 06 located on the Advertised Solicitation, Current Bid Opportunities webpage
<http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>

4.4.2.2 SMALL BUSINESS SET-ASIDE CONTRACTS

This is a Set-Aside Contract for **Categories I, II, or III** for Small Businesses. The bidder must be registered as a qualifying small business with the New Jersey Commerce & Economic Growth Commission (Commerce) by the date the bid is received and opened. Evidence that the bidder has registered with Commerce as a small business should be submitted with the bid proposal.

*****IMPORTANT NOTE: EVEN IF THE BIDDER IS AN INCUMBENT CONTRACTOR AND/OR HAS BEEN PREVIOUSLY REGISTERED OR CERTIFIED UNDER THE FORMER SBE/MBE/WBE PROGRAM, THE BIDDER WILL NEED TO BE SURE THAT IT IS REGISTERED ON THE DAY OF BID RECEIPT AND OPENING WITH THE COMMERCE COMMISSION UNDER THE NEW, SMALL BUSINESS PROGRAM TO BE ELIGIBLE FOR AWARD. THE TELEPHONE NUMBER TO CALL COMMERCE TO CHECK REGISTRATION STATUS IS 609 292-2146.*****

4.4.3 FORMS THAT MUST BE SUBMITTED BEFORE CONTRACT AWARD AND SHOULD BE SUBMITTED WITH THE BID PROPOSAL.

4.4.3.1 MACBRIDE PRINCIPLES CERTIFICATION

The bidder is required to complete the attached MacBride Principles Certification evidencing compliance with the MacBride Principles. The requirement is a precondition to entering into a State contract. The MacBride Principles Certification Form is located on the Advertised Solicitation, Current Bid Opportunities webpage:
<http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>.

4.4.3.2 AFFIRMATIVE ACTION

The bidder is required to complete the attached Affirmative Action Employee Information Report, or, in the alternative, supply either a New Jersey Affirmative Action Certificate or evidence that the bidder is operating under a federally approved or sanctioned affirmative action program. The requirement is a precondition to entering into a State contract. The Affirmative Action Forms are located on the Advertised Solicitation, Current Bid Opportunities webpage
<http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>.

4.4.4 SUBMITTALS

A. OFFICIAL NEW JERSEY PRICE LISTS

The bidder must submit with its bid proposal an official State of New Jersey price list for each category bid. This price list will be constructed by the bidder and is to list each and every item for each category that the bidder wishes to sell to the State. The items listed on the State of New Jersey price list will be the **only** items that the bidder will be able to sell, under any contract resulting from this RFP.

The bidder's signature guarantees that prices set forth within the submitted "Official New Jersey Price List" will govern for the period of the contract. All prices bid are to be "NET" prices. The bidder also acknowledges that, notwithstanding any reference to price escalation clauses, fob shipping point, and shipping charges contained in the Official New Jersey Price List, catalogs, and/or literature, such references shall not be part of any State contract awarded as a result of this RFP.

The price list must be broken into the appropriate sub-categories within a category and in the following format:

Category A

Baseball/Softball

Sub-Category	Brand	Model #	Description	Official State of NJ Net Price
Balls	Louisville		24" Little League Wood Bat	\$15.00
	Louisville		26" Little League Wood Bat	\$20.00
	Spalding		24" Little League Aluminum Bat	\$15.00
Bats	Wilson		1st Basemen's Glove	\$15.00
	Spalding		1st Basemen's Glove	\$15.95
	Wilson		Catcher's Mitt	\$25.00
	Spalding		Catcher's Mitt	\$35.00

Note: Clear and precise detailed descriptions are required when completing the price lists.

The above format is to be used for each category bid.

NOTE: Only net prices are to be included in this price list.

NO pre-printed manufacturer's price list will be accepted. The failure of a bidder to provide an Official State of New Jersey price list with its bid proposal, for each category and all its attendant subcategories will result in the rejection of its bid proposal for that category only.

All price lists submitted must be properly labeled, indicating the bidder's name, address and bid number.

In addition to the above requirements, bidders are encouraged to also submit their price list in the form of a CD in PDF or text format. However, as a minimum, the Official State of New Jersey hard copy paper price list must be included with the bid proposal.

NOTE: The State may upload the CD to the internet in order to facilitate user ordering from the contract. If the CD is uploaded, the contractor will NOT have to provide the Using Agency with a hard copy of the preprinted price list(s), and the contractor will not have to verify pricing and/or products.

B. Attachment #1

The bidder must submit Attachment #1 designating which brand(s) for each sub-category within a category they would like to have evaluated.

4.4.4.1 BIDDER EXPERIENCE - DATA SHEETS

The bidder must provide all of the information requested in the Bidder's Data Packet located on the Advertised Solicitation, Current Bid Opportunities webpage:
<http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>.

4.4.4.2 SAMPLES/SAMPLE TESTING – NOT APPLICABLE TO THIS RFP

4.4.5 FINANCIAL CAPABILITY OF THE BIDDER

Upon request, In order to provide the State with the ability to judge the bidder's financial capacity and capabilities to undertake and successfully complete the contract, the bidder should submit two years of certified financial statements that include a balance sheet, income statement and statement of cash flow, and all applicable notes for the most recent calendar year or the bidder's most recent fiscal year. If certified financial statements are not available, the bidder should provide either a reviewed or compiled statement from an independent accountant setting forth the same information required for the certified financial statements, together with a certification from the Chief Executive Officer and the Chief Financial Officer, that the financial statements and other information included in the statements fairly present in all material respects the financial condition, results of operations and cash flows of the bidder as of, and for, the periods presented in the statements. In addition, the bidder should submit a bank reference.

The bidder may designate specific financial information as not subject to disclosure when the bidder has a good faith legal/factual basis for such assertion. The bidder may submit specific financial documents in a separate, sealed package clearly marked "Confidential-Financial Information" along with its Bid Proposal.

The State reserves the right to make the determination whether to accept the bidder's assertion of confidentiality and will advise the bidder accordingly.

4.4.6 PRICING

The bidder must submit its pricing using the format set forth in the State supplied price sheet(s) attached to this RFP. Failure to submit all information required will result in the bid being considered non-responsive.

Each bidder is required to hold its prices firm for a period of **90** days. Every effort will be made to award the contract prior to the time period set forth above.

4.4.7 PRICE SHEETS

- A. Under the percent discount column, the bidder must place the word "NET" for each price line item within a category bid. Failure to write the word "NET" on each price line item within a category will result in the rejection of its bid for that category.
- B. The bidder is to provide the number of days for delivery days ARO (after receipt of order) on each price line bid.

- C. Bidders may bid in selected categories but must bid every line item in each category bid to be eligible for an award. Failure of a bidder to bid all line items within a category will result in the rejection of its bid proposal for that category only.

5.0 SPECIAL CONTRACTUAL TERMS AND CONDITIONS

5.1 PRECEDENCE OF SPECIAL CONTRACTUAL TERMS AND CONDITIONS

The contract awarded as a result of this RFP shall consist of this RFP, addendum to this RFP, the contractor's bid proposal and the Division's Notice of Award.

Unless specifically stated within this RFP, the Special Contractual Terms and Conditions of the RFP take precedence over the NJ Standard Terms and Conditions version 01 20 06 located on the Advertised Solicitation, Current Bid Opportunities webpage:

<http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>.

In the event of a conflict between the provisions of this RFP, including the Special Contractual Terms and the NJ Standard Terms and Conditions version 01 20 06, and any Addendum to this RFP, the Addendum shall govern.

In the event of a conflict between the provisions of this RFP, including any Addendum to this RFP, and the bidder's bid proposal, the RFP and/or the Addendum shall govern.

5.2 CONTRACT TERM AND EXTENSION OPTION

The term of the contract shall be for a period of three (3) years.. The anticipated "Contract Effective Date" is provided on the signatory page of this RFP:

<http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>. If delays in the procurement process result in a change to the anticipated Contract Effective Date, the bidder agrees to accept a contract for the full term of the contract. The contract may be extended for all or part of **two (2)**, one-year periods, by the mutual written consent of the contractor and the Director.

5.3 CONTRACT TRANSITION

In the event that a new contract has not been awarded prior to the contract expiration date, as may be extended herein, it shall be incumbent upon the contractor to continue the contract under the same terms and conditions until a new contract can be completely operational. At no time shall this transition period extend more than **120** days beyond the expiration date of the contract.

5.4 CONTRACT AMENDMENT

Any changes or modifications to the terms of the contract shall be valid only when they have been reduced to writing and signed by the contractor and the Director.

5.5 CONTRACTOR'S WARRANTY

- a) The Contractor is responsible for the quality, technical accuracy, timely completion and delivery of all deliverables and other services to be furnished by the Contractor under the Contract. The Contractor agrees to perform in a good, skillful and timely manner all services set forth in the Contract.
- b) The Contractor shall, without additional compensation, correct or revise any errors, omissions, or other deficiencies in its services and deliverables furnished under the Contract. The approval of interim deliverables furnished under the Contract shall not in

any way relieve the Contractor of fulfilling all of its obligations under the Contract. The acceptance or payment for any of the services rendered under the Contract shall not be construed as a waiver by the State or Agency, of any rights under the agreement or of any cause of action arising out of the Contractor's performance of the Contract.

- c) The acceptance of, approval of or payment for any of the services performed by the Contractor under the Contract shall not constitute a release or waiver of any claim the State or Agency, has or may have for latent defects or errors or other breaches of warranty or negligence.

5.6 ITEMS ORDERED AND DELIVERED

The Using Agencies are authorized to order and the contractors are authorized to ship only those items covered by the contracts resulting from this RFP. If a review of orders placed by the Using Agencies reveals that material other than that covered by the contract has been ordered and delivered, such delivery shall be a violation of the terms of the contract and may be considered by the Director as a basis to terminate the contract and/or as a basis not to award the contractor a subsequent contract. The Director may take such steps as are necessary to have the items returned by the Agency, regardless of the time between the date of delivery and discovery of the violation. In such event, the contractor shall reimburse the State the full purchase price.

The contract involves items which are necessary for the continuation of ongoing critical State services. Any delay in delivery of these items would disrupt State services and would force the State to immediately seek alternative sources of supply on an emergency basis. Timely delivery is critical to meeting the State's ongoing needs.

5.7 REMEDIES FOR FAILURE TO COMPLY WITH MATERIAL CONTRACT REQUIREMENTS

In the event that the contractor fails to comply with any material contract requirements, the Director may take steps to terminate the contract in accordance with the State administrative code and/or authorize the delivery of contract items by any available means, with the difference between the price paid and the defaulting contractor's price either being deducted from any monies due the defaulting contractor or being an obligation owed the State by the defaulting contractor.

5.8 MANUFACTURING/PACKAGING REQUIREMENTS

5.8.1 All products must conform in every respect to the standards and regulations established by Federal and New Jersey State laws.

5.8.2 All products shall be manufactured and packaged under modern sanitary conditions in accordance with federal and state law and standard industry practice.

5.8.3 All products are to be packaged in sizes as specified in this RFP and shall be packaged in such a manner as to ensure delivery in first class condition and properly marked for identification. All shipments must be comprised of original cartons associated with the commercial industry represented by the actual product contained within each carton. Deliveries containing re-used, re-labeled, re-worked or alternate cartons are subject to rejection by the Using Agency at the contractor's expense.

5.9 CLAIMS

All claims asserted against the State by the contractor shall be subject to the New Jersey Tort Claims Act, N.J.S.A. 59:1-1.1, et seq., and/or the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1, et seq.

5.10 CONTRACT ACTIVITY REPORT

In conjunction with the standard record keeping requirements of this contract, as required by in paragraph 3.19 of the NJ Standard Terms and Conditions version 01 20 06, located on the Advertised Solicitation, Current Bid Opportunities webpage <http://www.state.nj.us/treasury/purchase/bid/summary/07X38816.shtml>, contractor(s) must provide, on a calendar quarter basis, to the Purchase Bureau buyer assigned, a record of all purchases made under their contract award resulting for this Request for Proposal. This includes purchases made by all using agencies including the State and political sub-divisions thereof. This reporting requirement includes sales to State using agencies and, if permitted under the terms of the contract, sales to counties, municipalities, school districts, volunteer fire departments, first aid squads and rescue squads, and independent institutions of higher education. The requirement also includes sales to State and County Colleges and Quasi-State Agencies. Quasi-State Agencies include any agency, commission, board, authority or other such governmental entity which is established and is allocated to a State department or any bi-state governmental entity of which the State of New Jersey is a member.

This information must be provided in a tabular format such that an analysis can be made to determine the following:

- Contractor's total sales volume to each purchaser under the contract, subtotaled by product, including, if applicable, catalog number and description, price list with appropriate page reference and/or contract discount applied.
- Total dollars paid to subcontractors.

Submission of purchase orders, confirmations, and/or invoices do not fulfill this contract requirement for information.

Contractors are strongly encouraged to submit the required information in electronic spreadsheet format. The Purchase Bureau uses Microsoft Excel.

Failure to report this mandated information will be a factor in future award decisions.

6.0 PROPOSAL EVALUATION

6.1 CONTRACT EVALUATION

The following criteria will be used to evaluate all bid proposals that meet the requirements of this RFP. The criteria are not listed in order of importance:

6.1.1 Price

6.1.2 Experience of the bidder

6.1.3 The bidder's past performance under similar contracts, including if applicable, the Division's vendor performance database.

6.1.4 Responsiveness of the bidder with respect to submission of State of New Jersey price list(s).

6.1.5 Breadth of line of products bid, where applicable. The number of items and type of items submitted in each sub-category will be considered when determining the quality of

the breadth of line. If an item is not clearly and precisely described on the price list, the State reserves the right not to include that item as part of the consumption model.

6.2 ORAL PRESENTATION AND/OR CLARIFICATION OF BID PROPOSAL

Prior to contract award and with the exception of scheduling a review of submitted bids, unless requested by the State, contact with the State is limited to status inquiries only and such inquiries are only to be directed to the buyer. Any further contact or information about the proposal with the buyer or any other State official connected with the solicitation will be considered an impermissible supplementation of the bidder's bid proposal.

The bidder may be required to give an oral presentation to the State concerning its bid proposal. The State may also require the bidder to submit written responses to questions regarding its bid proposal.

The purpose of such communication with the bidder, either through an oral presentation or a letter of clarification, is to provide an opportunity for the bidder to clarify or elaborate on its bid proposal. Original bid proposals submitted, however, cannot be supplemented, changed, or corrected in any way. No comments regarding other bid proposals are permitted. Bidders may not attend presentations made by their competitors.

It is within the State's discretion whether to require the bidder to give an oral presentation or require the bidder to submit written responses to questions regarding its bid proposal. Action by the State in this regard should not be construed to imply acceptance or rejection of a bid proposal. The Purchase Bureau buyer will be the sole point of contact regarding any request for an oral presentation or clarification.

6.3 BID DISCREPANCIES

In evaluating bids:

- Discrepancies between words and figures will be resolved in favor of words.
- Discrepancies between unit prices and totals of unit prices will be resolved in favor of unit prices.
- Discrepancies in the multiplication of units of work and unit prices will be resolved in favor of the unit prices.
- Discrepancies between the indicated total of multiplied unit prices and units of work and the actual total will be resolved in favor of the actual total.
- Discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the corrected sum of the column of figures.

6.4 NEGOTIATION AND BEST AND FINAL OFFER (BAFO)

Following the opening of bid proposals, the State reserves the right, pursuant to N.J.S.A. 52:34-12(f), to negotiate: the technical services offered, the terms and conditions and/or the price of a proposed contract award with any bidder and reserves the right to seek a Best and Final Offer (BAFO) from one or more bidders. In response to the State's request to negotiate, the bidder must continue to satisfy all mandatory RFP requirements but may improve upon their original technical proposal in any revised technical proposal. However, any revised technical proposal that does not continue to satisfy all mandatory requirements will be rejected as non-responsive and the original technical proposal will be used for any further evaluation purposes, in accordance with the following procedure:

The State will conduct an initial review and determine whether and with which bidder(s) it will negotiate, and will communicate its request to each such bidder. In response, the bidder will submit any required revisions to its proposal.

In response to the State's request for a BAFO, the bidder may submit a revised price proposal that is equal to or lower in price than its original submission, but must continue to satisfy all mandatory requirements.

After receipt of the results of the negotiation and/or the BAFO(s), the State will complete its evaluation and recommend to the Director for award that responsible bidder(s) whose bid proposal, conforming to this RFP, is most advantageous to the State, price and other factors considered.

All contacts, records of initial evaluations, any correspondence with bidders related to any request for negotiation or BAFO, any revised technical and/or price proposals, the State's evaluation and the Award Recommendation, will remain confidential until an Intent to Award notice is issued.

7.0 CONTRACT AWARD

7.1 DOCUMENTS REQUIRED BEFORE CONTRACT AWARD

7.1.1 REQUIREMENTS OF N.J.S.A. 19:44A-20.13-25 (FORMERLY EXECUTIVE ORDER 134)

In order to safeguard the integrity of State government procurement by imposing restrictions to insulate the negotiation and award of State contracts from political contributions that pose the risk of improper influence, purchase of access, or the appearance thereof, the Legislature enacted N.J.S.A. 19:44A-20.13 – 25 on March 22, 2005 the "Legislation"), retroactive to October 15, 2004, superseding the terms of Executive Order 134. Pursuant to the requirements of the Legislation, the terms and conditions set forth in this section are material terms of any contract resulting from this RFP:

7.1.1.1 DEFINITIONS

For the purpose of this section, the following shall be defined as follows:

a) Contribution – means a contribution reportable as a recipient under "The New Jersey Campaign Contributions and Expenditures Reporting Act." P.L. 1973, c. 83 (C.19:44A-1 et seq.), and implementing regulations set forth at N.J.A.C. 19:25-7 and N.J.A.C. 19:25-10.1 et seq. Through December 31, 2004, contributions in excess of \$400 during a reporting period were deemed "reportable" under these laws. As of January 1, 2005, that threshold was reduced to contributions in excess of \$300.

b) Business Entity – means any natural or legal person, business corporation, professional services corporation, Limited Liability Company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. The definition of a business entity includes (i) all principals who own or control more than 10 percent of the profits or assets of a business entity or 10 percent of the stock in the case of a business entity that is a corporation for profit, as appropriate; (ii) any subsidiaries directly or indirectly controlled by the business entity; (iii) any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and (iv) if a business entity is a natural person, that person's spouse or child, residing in the same household.

7.1.1.2 BREACH OF TERMS OF THE LEGISLATION

It shall be a breach of the terms of the contract for the Business Entity to (i)make or solicit a contribution in violation of the Legislation, (ii)knowingly conceal or misrepresent a contribution given or received; (iii)make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; (iv)make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee or any candidate of holder of the public office of Governor, or to any State or county party committee; (v)engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of the Legislation; (vi)fund contributions made by third parties, including consultants, attorneys, family members, and employees; (vii)engage in any exchange of contributions to circumvent the intent of the Legislation; or (viii)directly or indirectly through or by any other person or means, do any act which would subject that entity to the restrictions of the Legislation.

7.1.1.3 CERTIFICATION AND DISCLOSURE REQUIREMENTS

a) The State shall not enter into a contract to procure from any Business Entity services or any material, supplies or equipment, or to acquire, sell or lease any land or building, where the value of the transaction exceeds \$17,500, if that Business Entity has solicited or made any contribution of money, or pledge of contribution, including in-kind contributions to a candidate committee and/or election fund of any candidate for or holder of the public office of Governor, or to any State or county political party committee during certain specified time periods

b) Prior to awarding any contract or agreement to any Business Entity, the Business Entity proposed as the intended awardee of the contract shall submit the Certification and Disclosure form, certifying that no contributions prohibited by the Legislation have been made by the Business Entity and reporting all contributions the Business Entity made during the preceding four years to any political organization organized under 26 U.S.C.527 of the Internal Revenue Code that also meets the definition of a “continuing political committee” within the mean of N.J.S.A. 19:44A-3(n) and N.J.A.C. 19:25-1.7. The required form and instructions, available for review on the Purchase Bureau website at <http://www.state.nj.us/treasury/purchase/forms.htm#eo134> , shall be provided to the intended awardee for completion and submission to the Purchase Bureau with the Notice of Intent to Award. Upon receipt of a Notice of Intent to Award a Contract, the intended awardee shall submit to the Division, in care of the Purchase Bureau Buyer, the Certification and Disclosure(s) within five (5) business days of the State’s request. Failure to submit the required forms will preclude award of a contract under this RFP, as well as future contract opportunities.

c) Further, the Contractor is required, on a continuing basis, to report any contributions it makes during the term of the contract, and any extension(s) thereof, at the time any such contribution is made. The required form and instructions, available for review on the Purchase Bureau website at <http://www.state.nj.us/treasury/purchase/forms.htm#eo134> , shall be provided to the intended awardee with the Notice of Intent to Award.

7.1.1.4 STATE TREASURER REVIEW

The State Treasurer or his designee shall review the Disclosures submitted pursuant to this section, as well as any other pertinent information concerning the contributions or reports thereof by the intended awardee, prior to award, or during the term of the contract, by the contractor. If the State Treasurer determines that any contribution or action by the contractor constitutes a

breach of contract that poses a conflict of interest in the awarding of the contract under this solicitation, the State Treasurer shall disqualify the Business Entity from award of such contract.

7.1.1.5 ADDITIONAL DISCLOSURE REQUIREMENT OF P.L. 2005, C. 271

Contractor is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission (ELEC), pursuant to P.L. 2005, c. 271, section 3 if the contractor receives contracts in excess of \$50,000 from a public entity in a calendar year. It is the contractor's responsibility to determine if filing is necessary. Failure to so file can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

7.2 FINAL CONTRACT AWARD

For purposes of determining the successful contractor, a consumption model based on a weighted average will be used. The consumption model will be made available at the public bid opening. Information will not be available prior to the public bid opening.

The bidders must bid all line items within a category to be eligible for contract award. Failure to do so will result in the rejection of its bid proposal.

One primary award and one secondary award shall be made with reasonable promptness by written notice to that responsible bidder(s), whose bid proposal(s), conforming to this RFP, is(are) most advantageous to the State, price, and other factors considered. Any or all bid proposals may be rejected when the State Treasurer or the Director determines that it is in the public interest to do so.

7.3 INSURANCE CERTIFICATES

The contractor shall provide the State with current certificates of insurance for all coverages required by the terms of this contract, naming the State as an Additional Insured.

8.0 CONTRACT ADMINISTRATION

8.1 CONTRACT MANAGER

The State Contract Manager is the State employee responsible for the overall management and administration of the contract.

The State Contract Manager for this project will be identified at the time of execution of contract. At that time, the contractor will be provided with the State Contract Manager's name, department, division, agency, address, telephone number, fax phone number, and email address.

8.1.1 STATE CONTRACT MANAGER RESPONSIBILITIES

For an agency contract where only one State office uses the contract, the State Contract Manager will be responsible for engaging the contractor, assuring that Purchase Orders are issued to the contractor, directing the contractor to perform the work of the contract, approving the deliverables and approving payment vouchers. The State Contract Manager is the person that the contractor will contact **after the contract is executed** for answers to any questions and concerns about any aspect of the contract. The State Contract Manager is responsible for coordinating the use and resolving minor disputes between the contractor and any component part of the State Contract Manager's Department.

If the contract has multiple users, then the State Contract Manager shall be the central coordinator of the use of the contract for all Using Agencies, while other State employees engage and pay the contractor. All persons and agencies that use the contract must notify and coordinate the use of the contract with the State Contract Manager.

8.1.2 COORDINATION WITH THE STATE CONTRACT MANAGER

Any contract user that is unable to resolve disputes with a contractor shall refer those disputes to the State Contract Manager for resolution. Any questions related to performance of the work of the contract by contract users shall be directed to the State Contract Manager. The contractor may contact the State Contract Manager if the contractor can not resolve a dispute with contract users.