

SPECIFICATIONS – PART 1

CONTRACT SCOPE/OVERVIEW: Any contract resulting from this Commonwealth Bid Invitation Number 6100026982 will cover the requirements of all Commonwealth using agencies for:

- Forklifts = Industrial Truck Association (ITA) Class I Trucks through Class V Trucks
- Aerial Lifts = Boom Lifts, Scissor Lifts, and Vertical Mast Products
- Optional Equipment for the above listed Forklifts and Aerial Lifts
- Batteries
- Chargers

The following equipment types are specifically excluded from this bid action and any resulting contract:

- Electric and Internal Combustion Engine Tractors (ITA Class VI)
- Rough Terrain Forklift Trucks – fixed mast, portable, and telehandlers (ITA Class VII)
- Hand Pallet Trucks, All Personnel and Burden Carriers (ITA Class VIII)
- All-Terrain Vehicles (ATVs), Golf Carts, Utility Carts, Utility Vehicles

SPECIFICATIONS:

All items provided against any purchase order, from any contract resulting from this bid action, **must be NEW** (not demonstrator, refurbished, remanufactured, or used items) and shall be in accordance with the Original Equipment Manufacturer's standard commercial specifications.

All electric battery powered units provided against any purchase order, from any contract resulting from this bid action shall include the Manufacturer's recommended size of battery for models bid.

All units delivered shall be clean, lubricated, serviced and "work ready" for immediate use in accordance with the manufacturer's recommended pre-delivery service policy.

The awarded supplier(s) shall be required to deliver, assemble, set-up, demonstrate and provide operator orientation (to include mechanical overview of the unit and basic operation) and applicable manuals for the equipment ordered on each purchase order.

ELIGIBILITY: In order to be eligible for award, a bidder must comply with the following:

- 1.) A bidder must be the manufacturer of the products being offered, or an authorized representative (i.e. dealer/reseller) of the manufacturer's products being offered.
- 2.) If a bidder is not the manufacturer of the products being offered, the bidder will need to electronically attach to its bid the "**Original Equipment Manufacturer's (OEM's) Authorization to Bid Certification**" document after it has been completed and signed by the OEM.

The document states that the bidder is an authorized representative (i.e. dealer/reseller) for the OEM's equipment for which the bidder is submitting a bid, and that the bidder is authorized to provide a bid on the Commonwealth's Bid Invitation Number 6100026982 – Forklifts and Aerial Lifts. The document also states that the OEM will honor any responsibilities under warranty for products sold by the bidder, under any contract resulting from this bid action, if the bidder fails to perform such service.

Dealers/resellers who fail to provide a signed "Original Equipment Manufacturer's (OEM's) Authorization to Bid Certification" document for any manufacturer's product bid may have their bid rejected.

- 3.) Bidders need to complete and electronically attach the document entitled "**Contractor Data Sheet**" to their bid. Bidders shall fill in their company's contact person information
- 4.) Bidders must provide their Pricing on a percent discount from list price basis for the Equipment Categories that they are bidding on this IFB by completing and electronically attaching the document entitled "**Bid Item Sheet**" to their bid. See **BID ITEM SHEET - SINGLE DISCOUNT** section of this document.

NOTE:

All electric battery powered units provided against any purchase order, from any contract resulting from this bid action shall include the Manufacturer's recommended size of battery for models bid.

Bidders of electric battery powered units on this solicitation must also provide a single discount for batteries and a single discount for chargers (Line Item Numbers 170 and 180 on the Bid Item Sheet). Note: Not applicable to starter batteries.

- 5.) **Bidders shall attach an electronic copy of each OEM Price List referenced on their Bid Item Sheet** to their electronic bid for the sole purpose of providing a reference to the various items on the price list and the manufacturer's price for each item. **All OEM price lists must be identified by name and effective date** and, when the electronic document is opened, the price list name and effective date should be indicated on the title page, index, and/or individual pages of the price list.

Any reference, which may appear on any price list, to any commercial terms and conditions such as F.O.B. shipping point, minimum order, ordering instructions, payment terms, prices subject to change, etc will not be part of any contract with the successful bidder(s) and will be disregarded by the Commonwealth.

INSTRUCTIONS FOR BIDDERS:

Please click on the "Header" tab of this electronic Bid Invitation Number 6100026982 (when you first open the electronic bid you will be on the "Header" tab by default). Next, click on the "Notes and Attachments" sub-tab and download the following three (3) documents by clicking on the corresponding links in the description column of the Attachments list.

- Instructions For Bidders
- Bidders Guide
- Attaching Documents To Your Bid

AWARDS:

Any contract award resulting from this bid action will be on a Multiple Award basis. Multiple Award meaning that all Equipment Categories bid by responsive and responsible bidders, in accordance with the Bid Item Sheet listings, may be awarded.

However, only a single award will be made in each of the Base Unit Equipment Categories (Line Item Numbers 10, 30, 50, 70, 90, 110, 130, and 150 on the Bid Item Sheet) for any given Original Equipment Manufacturer's (OEM's) products. The award will be based on the greatest discount from the manufacturer's most recent, official, dated and published suggested retail price list. **An electronic copy of each referenced OEM Price List shall be uploaded as an attachment and submitted with the electronic bid.**

Let it be understood that awards for the Optional Equipment, Batteries, and Chargers Categories (Item Numbers 20, 40, 60, 80, 100, 120, 140, 160, 170 and 180) will be made to all responsive and responsible bidders. Any discounts provided on the Bid Item Sheet for these categories shall be firm discounts but will not be used as a factor in award determinations.

The Commonwealth reserves the right to reject any price list bid (or portion thereof) that it deems to be outside the scope of the Equipment Category that it was bid under.

THE AWARDED SUPPLIERS' PERCENTAGE DISCOUNTS FROM THE OEM'S PRICE LISTS SHALL REMAIN FIRM FOR THE ENTIRE CONTRACT PERIOD (THE INITIAL YEAR PLUS ANY AND ALL RENEWAL PERIODS).

BID ITEM SHEET - SINGLE DISCOUNT:

Bidders must provide their Pricing on a percent discount from list price basis for the Equipment Categories that they are bidding on this IFB by completing and electronically attaching the document entitled "**Bid Item Sheet**" to their bid.

Only one discount will be accepted for any given manufacturer's price list bid within an individual Equipment Category. Multiple discounts on a single price list within an Equipment Category must be averaged or the bid may be rejected. **The percentage discount from the appropriate price list must be a numeric figure and contain not more than two (2) digits to the right of the decimal point. An example of an entry for Percent Discount from List Pricing would be 26.25%**

NOTE: If a supplier disregards the above and offers multiple discounts on any given manufacturer's price list bid within an individual Equipment Category, the Commonwealth will accept the greatest discount offered and apply it to the subject Equipment Category for that manufacturer.

Bidders may not add any new Equipment Categories or modify the names of any of the Equipment Categories listed on the original Bid Item Sheet. If this occurs no award will be made in any such newly created or altered Equipment Category and your bid response could be rejected as a conditioned bid.

TRADE-IN OF EQUIPMENT:

State Agencies: Equipment trade-ins are not allowed on any contract resulting from this bid action. State Agencies who desire to remove equipment no longer needed, shall contact the following for disposition of equipment:

Department of General Services
Bureau of Supplies and Surplus Operations
State Surplus Property Division
2221 Forster St.
Harrisburg, PA 17125
Telephone: 717-787-6159

COSTARS Members: Equipment trade-ins are allowed, if mutually agreed to by the awarded supplier who must be participating in COSTARS (see the COSTARS column of the contract listing on the PA eMarketplace website www.emarketplace.state.pa.us) and the COSTARS Member. The trade-in action must also be in accordance with the awarded supplier's company policy and the COSTARS Member's local procurement rules, regulations, and procedures.

DELIVERY:

It is understood that all net discounted pricing bid and awarded is at FOB DESTINATION delivered pricing and includes all applicable costs for pre-delivery service, delivery, shipping and handling, assembly, set-up, demonstration, operator orientation, and applicable manuals to any using agency within the Commonwealth of Pennsylvania. Failure to provide these services may be determined breach of contract.

All items ordered from this contract shall be delivered within a reasonable time frame based upon the current economy, equipment category, and make and model ordered.

As a general guideline, most forklifts and aerial lifts must be specified and built which implies an average delivery time frame of 12 to 16 weeks after receipt of a purchase order (ARO). Other more standard units, such as electric powered hand pallet trucks, can often be delivered within approximately 8 weeks ARO. These are general guidelines and actual delivery dates may vary and should be mutually agreed to, in writing, by the using agency and the supplier.

Awarded suppliers should provide an estimated delivery date (number of weeks ARO) on any quotes to using agencies. Using agencies attach the quote and cite a delivery date in their Purchase Order based upon the quoted number of weeks ARO.

If, at any time, an awarded supplier realizes that the delivery time frame may be exceeded, it is imperative that the supplier notifies the using agency immediately. The supplier shall proceed with the order only after receiving written authorization from the ordering agency.

WARRANTY:

Supplier must warrant that all items provided shall be free and clear of any defects in workmanship or materials for a minimum of one (1) year following delivery by the Supplier and acceptance by the Commonwealth. During the warranty period, the Supplier agrees to repair, replace, or otherwise correct any problem with the delivered item without charge to the Using Agency. When an item is replaced, it shall be replaced with an item of equivalent or superior quality without any additional cost to the Commonwealth.

If the manufacturer's standard warranty exceeds the minimum one (1) year warranty, the manufacturer's standard warranty shall apply.

Warranty service may be performed at the Using Agency Site or at the Supplier's Service Center, however, the Supplier shall be responsible for all travel time, removal, shipping, transportation, and installation costs involved with the repair or replacement. All parts removed shall become the property of the Supplier.

SUPPLY OF PRICE LISTS / PRODUCT LITERATURE:

Within five (5) business days after request from a Commonwealth using agency, the awarded supplier is to furnish the agency with a copy of the requested price list pages and any available product literature as applicable.

PRICE LIST UPDATES:

Awarded suppliers may update their contract price lists at the time of contract renewal to reflect new products, manufacturer's price changes, and deletion of discontinued products.

Any price list update shall be based on the particular Original Equipment Manufacturer's (OEM's) industry wide price list change. Suppliers shall submit a letter to the appropriate Commodity Specialist requesting review and approval of the updated price list. It is the responsibility of the supplier to adequately justify any requested price list update. All requests for price list updates must be accompanied by an electronic copy of the OEM's most recent, official, dated and published suggested retail price list along with a letter of verification from the OEM. Suppliers will be notified in writing by the Commodity Specialist indicating approval or disapproval of the requested update. If approved, the Contract Overview posted on the Commonwealth's eMarketplace website will be updated to indicate the new price list effective date. It will then be the responsibility of the supplier to distribute the price list, or applicable pages thereof, to any Commonwealth using agency upon request.

Any updated price lists approved by the Department of General Services, Bureau of Procurement at the time of a contract renewal shall remain firm and in effect through the contract renewal period.

The awarded suppliers' percentage discounts from the OEM's price lists shall remain firm for the entire contract period (the initial year plus any and all renewal periods).

At no time are awarded suppliers allowed to unilaterally change products or pricing. Orders will be monitored to ensure compliance.

INQUIRIES:

Direct all questions concerning this Invitation for Bid to:

Robin Morse
Commodity Specialist
Department of General Services
Bureau of Procurement
555 Walnut Street, 6th Floor
Harrisburg, PA 17101-1914
Telephone: 717-346-8180
Fax: 717-346-3820
Email: rmorse@pa.gov