



Date of Issuance: 01/18/2023

Solicitation No. OK-MA-192-23

Requisition No. _____

Amendment No. 3

Hour and date specified for receipt of offers is changed: ☒ No ☐ Yes, to: _____ CST

Pursuant to OAC 260:115-7-30(d), this document shall serve as official notice of amendment to the solicitation identified above. Such notice is being provided to all suppliers to which the original solicitation was sent.

Suppliers submitting bids or quotations shall acknowledge receipt of this solicitation amendment prior to the hour and date specified in the solicitation as follows:

Sign and return a copy of this amendment with the solicitation response being submitted; or,

If the supplier has already submitted a response, this acknowledgement must be signed and returned prior to the solicitation deadline. All amendment acknowledgements submitted separately shall have the solicitation number and bid opening date in the subject line of the email.

ISSUED FROM:

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Description of Amendment:

a. This is to incorporate the following:

Q. Attachment I – Will the awarded contract be a discount off CURRENT list at time of quote? (Attachment B.13 may answer this)

A. "CURRENT list" will be whatever is reflected within the master agreement. Per Attachment B.13 Contractor is to coordinate updating this list with the Lead State

Q. Market Basket > Does bid need to show all available options or just primary model that meets bid requirement?

A. For purposes of the Market Basket, we are simply requesting the primary model you would put forth as meeting those minimum product specifications.

Q. Tabs I.1-4 > Can entire catalog be added after award at contract discount % after award?

A. For the Categories you received an award in yes. Your proposed catalog is to be included within your proposal.

Q. Tabs I.1-4 > Many models have many different configuration options do these need to be included in Cost Proposal or will a single base model configuration suffice?

A. Base model will suffice with a description of what your value added, additional offerings would include.

Q. Tabs I.2 & 4 > Include telematics, parts, warranty information?

A. Kindly clarify your question.

Q. After award, will "current list price" be used with discounts remaining the same?

A. Yes.

Q. Attachment M – Authorized Dealer listing – We have over 1000 dealers between our two brands, is the format of Attachment M required if our reports contain all required information?

A. The Index tab within Attachment M **MUST** be completed. The information requested in the remaining tabs by State may be provided in your own format so long as they contain all the requested information.

Q. Are Tax FEIN #s required for each dealer?

A. As previously answered to a separate question, you are welcome to not provide the Tax FEIN #s.

Q. "Areas Covered" – Is this coverage by county/parish? Is this required?

A. "Areas Covered" within each State by County is sufficient.

Q. Attachment N – Do we provide 3 combined or do we provide 6 (3 for each brand)

A. 3 per proposal. So, 3 combined.

Q. Supplier Portal ([Homepage \(ok.gov\)](#)) – Supplier is set up with access to the Portal (ID: xxxxxxx) – we need to set up a second Authorized Account Manager for our sister-brand, but we share a Tax ID #. Can this be done?

A. Once logged into the OK Supplier Portal, additional User ID's, including ones for AAM's may be added. Each User ID gives a specific type of window suited for that account.

Q. Can Supplier a. and supplier b. brands bid as one under a single tax ID, while promoting as two separate brands? Can both brands be displayed separate on the NASPO site?

A. Question is a bit unclear. All master agreement awardees will have a separate designated one landing page on the NASPO landing page under the resulting Heave Construction and Industrial Equipment portfolio.

Q. Attachment B-2 (Insurance) Sections B & C > suggested changes in red:

B. Offeror / Contractor shall pay premiums on all insurance policies **Reasonable effort shall be made by Contractor to** provide notice to a Participating Entity who is a state within five (5) business days after Contractor is first aware of expiration, cancellation or nonrenewal of such policy or is first aware that cancellation is threatened or expiration, nonrenewal or expiration otherwise may occur.

C. **Reasonable effort shall be made by Contractor to provide** Copies of renewal certificates of all required insurance shall be furnished within thirty (30) days after any renewal date to the applicable state Participating Entity. Failure to provide evidence of coverage may, at the sole option of the Lead State, or any Participating Entity, result in this Master Agreement's termination or the termination of any Participating Addendum.

A. Kindly submit your proposed change / exception on Attachment B-2 to Attachment J – Proposed Modifications.

Q. We've identified an ambiguity between attachment A & D and attachment B regarding the treatment of costs (freight, set-up, surcharges, etc.). Attachment A at paragraph IV.D.4, & Attachment B at paragraph VIII.8.1 suggest that vendors need to account for those costs in their discount proposed. However, Attachment B, paragraph 11.C suggests that these types of costs can be charged to the customer. It is requested that these ambiguities be remedied. It is requested/recommended that that language in Attachment B.11.c prevail as it will result in the customer paying the lowest possible price.

A. Kindly refer to the previous Q&A clarifying this ambiguity.

Q. Paragraph #16 of Attachment B describes a pricing arrangement where vendors need-not submit price lists. But this language conflicts with the instructions in Attachment I – Cost Proposal tab I.2. with the inclusion of Column E – Unit Price.

a. The Instructions for Tab I.2 State that ALL blue cells need to be completed, but isn't it true that if vendors opt to use the % of Catalog approach that we wouldn't need to complete column E?

A. A price list is still required per Attachment I. This list will be incorporated into the resulting master agreement. Attachment B paragraph 16 reflects the structure of a fixed discount % being established during the contract term. This fixed % will be applied to the resulting price list incorporated into the resulting contract.

Q. What is the intent of Attachment M – Authorized Dealer List?

a. Will it be incorporated into the resulting Contract?

A. Yes, it is intended that Attachment M – Authorized Dealer List will be incorporated in the resulting Mater Agreement. During the resulting contract term this list may be updated with the removal and addition of new dealers, subject to review and approval by the Lead State.

Q. Are all of the States listed participating in the Master Agreement?

A. All 50 states, DC and the US Territories may all participate in the resulting Master Agreements.

Q. If the intent of this document to demonstration nationwide capabilities, would it be okay instead to submit a map?

A. A map may be provided as supplemental information. Nonetheless, a completed Attachment M is still requested to be submitted as part of Offeror's proposal to be used in the resulting master agreements.

Q. If, not, because our dealers are independent, it is not within our purview to release their Tax ID number, is it possible to get this removed as a requirement.

A. For purposes of your proposal the Tax ID number field may be left blank. Following contract award, note that the Tax ID may subsequently be required to allow public entities to utilize your dealer network.

Q. Lastly, Regarding Areas covered – actual territories are not disclosable although it is safe-to-say that customers can simply utilize their closest/local. Is narrating "areas covered" a mandatory requirement that would cause a proposal to be found non-responsive if omitted?

It is unclear what is being asked here. Completing Attachment M is required as part of Offeror's proposal.

Q. If the intent of this segment is to demonstrate nationwide coverage, I believe there are better ways to do this, e.g. a map of dealer location...? Would this be acceptable?

A. Yes, a map providing dealer location may be provided as supplemental information.

Q. Attachment B Paragraph 11.C – is it possible to add "manufacturer-imposed surcharges" to this paragraph.

For example: C. Any Freight, shipping and handling costs, Manufacturer imposed surcharges, and set-up fees paid by the ordering entity are to be annotated on the quote/invoice as a separate line item.

A. Kindly refer to the previous Q&A clarifying this ambiguity on the discrepancy between attachment A & D and attachment B regarding the treatment of costs (freight, set-up, surcharges, etc.). For exceptions requested beyond the clarification kindly propose your exceptions to Attachment J – Proposed Modifications.

Q. Attachment B Paragraph 12.E – is it possible to eliminate the parts manual requirement with each new item? Parts manuals are ordered only by a small percentage of customers – I'd recommend that you allow customers to order them if needed. Parts manuals are not necessary to perform routine service.

A. We are open to allowing a parts manual to be available upon request, but in that case, it must still come at no additional cost to the public entity. Kindly submit your proposed change / exception to Attachment J – Proposed Modifications.

Q. Market Basket Evaluation tab: Category 13 – is it possible to revise the dig depth down to 19'7"? This will allow us to participate in this basket.

A. Category 13 specifications have been modified to reflect industry standard more closely.

Q. Category 15 – is it possible to get the operating weight reduced to 11,164, this will allow us to participate in this basket.

A. Category 15 specifications have been modified to reflect industry standard more closely.

Q. Our company specializes in compact equipment not included as a basket, is it possible to add the following compact categories: (or should we quote them as value added additional offerings? EX; Mini-Excavators, Telescopic Tool Carriers, Utility Work Machines, Hydraulically operated dump beds, Small Articulated Loaders, **Air Compressors etc.**

A. These should be quoted as value added, additional offerings.

Q. Light Towers is it possible to get the spec revised as follows:

Current Spec: Requested Change: (if applicable) Remarks

Height ----- 24 feet 23 Feet Industry Standard is 23.5'

Heavy gauge all- steel body Heavy gauge all-steel under carriage. The undercarriage is steel as is required to tow at high speeds, however the remainder of the body is not steel.

A. Category 5 specifications have been modified to reflect industry standard more closely.

Q. Finally, is it possible to get another 2-week extension while these questions are considered and so that we have adequate time to consider your responses and finalize our proposal?

A. Thank you for the request. With the impending deadlines of the current Construction Equipment portfolio expiring soon and having already extended the submission deadline for this RFP, unfortunately we are not able to grant another extension.

Q. What number should be in here? It's from 6.1.2. on attachment D.

1.1.1 Following the initial term of the Master Agreement, any request for a price or rate adjustment must be for an equal guarantee period and must be made at least (Enter the Number of Days) days prior to the effective date

A. 30 days

Q. In Att. B, Section III, #11 C – **Freight/Shipping/Set up Fees** it states “Any freight, shipping and handling costs and set up fees paid by the ordering entity are to be annotated on the quote/invoice as a separate line item”. This is how we as OEM and our dealerships handle freight and our PDI so this is acceptable.

However, this seems to conflict with Att. D, Master Agreement Terms & Conditions, VIII Shipping and Delivery section and Att. A, RFP Terms & Conditions, Section IV, D. (Cost Proposal), #4. Confirming that we may go off of Att. B. Freight to dealer location is included in our pricing, but any freight from dealer location to customer location will need to be charged separately to customer.

A. Thank you for pointing that out. It is Attachment B, Section III, #11 C – Freight/Shipping/Set up Fees, that is correct in that regard - “Any freight, shipping and handling costs and set up fees paid by the ordering entity are to be annotated on the quote/invoice as a separate line item”. The referenced Attachment D Master Terms and Conditions are incorrect on that item. In the resulting master agreement awards what is provided within Attachment B in that regard is what will govern.

Q. Is it possible for this to be amended on Attachment D, or when OEMS go to sign the document at time of award, so that we do not have to do a modification using Attachment J?

A. That is correct. You are not required to submit an exception on that specific item using Attachment J as the change is already reflected via the previous answer published for this RFP. Published answers are an amendment to the published RFP. Nonetheless, any exception that extends beyond what was clarified via this answer must be submitted using Attachment J.

b. All other terms and conditions remain unchanged.

Supplier Company Name (**PRINT**)

Date

Authorized Representative Name (**PRINT**)

Title

Authorized Representative Signature