



STATE OF TENNESSEE  
CENTRAL PROCUREMENT OFFICE

Written Questions & Comments High Visibility Safety  
Accessories

AMENDMENT #1

EVENT #40100- 11844

DATE: 5/7/2021

1. State responses to questions and comments in the table below will be posted with the proceeding May 4, 2021 Invitation to Bid.

Potential Respondents must ensure that the State receives all written questions and comments, including questions and requests for clarification, no later than the Written Questions & Comments Deadline: April 29th, 2021.

	STATE RESPONSE
1 What was the model, brand, and part numbers of the previous winning contract?	The State can provide the brand: ERB Americana Series
2 What are the payment terms for this contract? For example is it 30 day term after sending invoice?	Section 6 of the Terms and Conditions lists all payment terms. Specifically provision: <b>6.4. Invoice Requirements.</b> The Contractor shall invoice the State only for goods delivered and accepted by the State or services satisfactorily provided at the amounts stipulated in this Contract. Contractor shall submit invoices and necessary supporting documentation to the State Agency that requested goods or services no later than thirty (30) days after goods or services have been provided.
3 Do the helmet samples need to have the logo Printed on them for the sample process?	Yes as the State needs to evaluate the quality and color of imprinting per response. Please note that one Logo sample of each color option is required on the hard hat samples provided to the State at minimum i.e. one full colored logo and one full black logo for evaluation purposes. One reflective marking sample of each color option is required to be provided at minimum for evaluation purposes i.e. 2-color and 1-color samples are required. <b>ALL FOUR</b> HARD HATS (Items #4000181480, 4000181481, 4000181482, 4000181483) ARE STILL

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	REQUIRED TO BE SUBMITTED AS SAMPLES FOR EVALUATION PURPOSES.
4 Is it acceptable to substitute an item that is almost exactly the same as the original and send in a sample of the substitute for review?	The State will allow for substitute/alternative product sample(s) for evaluation purposes. All substitute/alternative product samples must meet the minimum specification requirements. If submitting substitute/alternative product sample(s) a summary outlining the variance of the alternative sample is required along with sample submission.
5 In the event document item #6 ITB files open to the public is that all online or is there a on site location for that activity?	The ITB files are shared electronically by emailing the zipped file of all procurement documents or by appointment only within the Central Procurement Office if the request is to view the procurement files in person.
6 May the samples be brought in person and would that be to the same address as where samples are mailed?	Yes samples may be handle delivered to the same address:  State of Tennessee Department of General Services, Central Procurement Office 312 Rosa L Parks Avenue, William R. Snodgrass Tennessee Tower, 3rd Floor Nashville, TN 37243-1102  CPO requests that advance notice is given to the solicitation coordinator in order to ensure coverage of the front desk.
7 Is there any imprinting on items covering lines 1-28?	No, only hard hats require TDOT logo. Specifically only one Logo sample of each color option is required on the hard hat samples provided to the State at minimum i.e. one full colored logo and one full black logo.
8 Will you provide high resolution vector art for printing?	Yes, ATTACHMENT 2 "TDOT Logo" has been added to the specifications as an external attachment to the solicitation.
9 Shipping requirements state FOB Destination shipping to 5 different locations. Will there be a minimum order per release to each location for shipping cost purposes?	No as it is the State's expectation that the orders will be fulfilled by the awarded respondent as the need arises within each TDOT location. This is a typical requirement of most agency term contracts for uniforms and accessories.
10 Since samples are being provided is it necessary to complete Appendix A—Line Specifications for each product line? Someone in our office actually pulled the bid and printed it for me but attached is page one of 16 pages I was given that began with Appendix A—Line Specifications.	No it is not necessary. CPO reviewed Appendix A-Line Specifications apart of the Event Details page titled "TDOT High Visibility Safety Accessories Hardhats." This document is auto generated by the State's Procurement system Edison if a respondent decides to mail in their bid. Appendix A does not require a response as it only serves to provide additional details of each event line within the

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	system.
11 On the 3 color imprint helmets is a 3 color transfer OK or does it have to be direct imprint?	The State has made the determination that direct imprint is required.
12 Will any variables of requested items be considered or does each item have to 100% match the bid specs?	Please see response to question #4.
13 Can you please share a PDF that includes a high-resolution logo for the requested screen printed samples for the hard hats. Just the logo itself, if available.	ATTACHMENT 2 TDOT Logo has been added to the solicitation documents.
14 On the safety vest are you looking for a certain color on the safety vest (Green,Orange,Yellow)?	Safety vests should be the same color as shown in the Hi Viz Safety Product Specifications PDF (attached). The fabric color is typically referred to as "lime/yellow".
15 Will you be taking all the inventory at one time? I.e. Will you be taking all the inventory at once or will we just ship when you order each time?	All items will be ordered/shipped as needed throughout the term of the contract.
16 Could you please advise if the Shipment Due Date mentioned in the Document i.e. 5/26/2021 correct?	No, samples must be delivered to CPO before 12:00 p.m. Friday 07/19/2021.
17 <b>a. Background Information</b>  This section states the Total Estimated Purchasing volume is \$340,000. Is this annual spend or the amount over the full life of the contract?	This total estimated purchase volume is for the life of the 5 year contract .
18 <b>3.19 Fixed Discount or Surcharge.</b>  Given industry costs increase over time due to inflation and other factors it will be unfeasible for many suppliers to hold unit pricing for the whole term of this contract, 5-7 years. Would the State consider changing this section to include a firm pricing term of 12 months so that price changes can be addressed between the awardee and the State, allowing for annual mutually agreed upon price changes?	Section 6.2 Compensation Firm has been replaced with the following changes to allow for price changes: <u>6.2 Price Changes.</u> Prices listed in awarded published catalog, price lists or price schedule shall remain firm for three hundred and sixty five (365) days ("Firm Price Period").  a. Price Decreases. After the Firm Price Period, prices shall be equitably adjusted to reflect a decrease in Contractor's costs. b. Price Increases. After the Firm Price Period, Contractor may request price increases. The request shall: include copies of the new price lists or catalog that reflect a change in the Contractor's cost; not constitute

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	<p>an increase in profit; and apply to all of the Contractor's customers.</p> <p>c. Approval of Price Changes. The State may at its sole option: (1) grant the Contractor's request; (2) cancel the Contract and award it to the next apparent best evaluated Respondent; (3) cancel the Contract and reissue the solicitation; or (4) deny the Contractor's request. If approved, any price changes of less than seven percent (7%) will become effective upon the State's approval in writing. Price changes exceeding seven percent (7%) shall require a Contract amendment. The Contractor shall honor all purchase orders dated prior to the approved price change. Upon request from the State, the Contractor shall furnish the approved catalog, price schedule or price list as applicable to the State at no charge.</p>
<p>19 <b>3.15. Firm offer.</b> Will the State accept a limitation of 60 days on the time frame that the bid will remain valid, with any extension being upon mutual agreement of both parties?</p>	<p>No, It is a requirement of the State that all respondents agree to the bid factor question #3 which states the following:</p> <p>I (we) agree to strictly abide by all the statutes and terms contained in the rules of the Department of General Services, Central Procurement Office, which are by reference made a part hereof, in addition to the special terms, conditions and specifications embodied in the invitation to bid.</p> <p>IMPORTANT: By Selecting YES, the bidder certifies compliance with the above and further certifies that this bid is made without collusion or fraud.</p>
<p>20 <b>3.16. FOB Destination</b> Will the State review a customized revision to the shipping section for odd or unusually large products which incur additional shipping fees?</p>	<p>See response to question #19.</p>
<p>21 <b>Section 3.21</b> Can the State clarify if the samples need the blue and reflective striping on the hard hat sample (s)? Striping is in the pictures on the specification document and is in the specs but is</p>	<p>Yes; all final markings need to be installed on samples.</p>

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not included as a requirement in 3.21.	
<p>22 <b>Section 3.21</b>  Due challenges brought onto the pandemic some manufactures may need added time to provide samples, especially the items with custom logo's. Would the State Consider a two week extension to the bid to allow suppliers additional time to get samples available, logo'd and sent for evaluation? Also can the State describe and outlined process for communication if a Digital Proof Approval is needed to move forward on the logo'd samples?</p>	<p>Please submit an extension request for the bid submission deadline to the solicitation coordinator. All extension requests must be approved internally before issuing an extension. All communications must remain with the solicitation coordinator which includes digital proof approvals. Please reference Section 3.8. <u>Communications and Contacts</u> of the Terms and Conditions for any questions relating to communication procedures. Digital proofs should be submitted to <a href="mailto:Dawn.johnson@tn.gov">Dawn.johnson@tn.gov</a> and <a href="mailto:clay.culwell@tn.gov">clay.culwell@tn.gov</a> cc'ing <a href="mailto:stephanie.landmark@tn.gov">stephanie.landmark@tn.gov</a> in order to be submitted for review.</p>
<p>23 <b>Section 3.21</b>  Will the State provide some type of image file such as a JPEG, PNG or Vector File with TDOT's logo to ensure accuracy and quality of logo for sample?</p>	<p>See response to question #8.</p>
<p>24 <b>3.23 Tennessee Contractor License:</b>   Our Company is product supplier and is not considered a "Contractor." Can this be removed from the bid?</p>	<p>This is standard language within the Terms and Conditions and only applies to the relevant construction industry contractors. If you are not a general contractor of construction this does not apply to you. Also please see response to question #19.</p>
<p>25 <b>4.2.1 Warranty.</b>   At this time, our company cannot offer any warranty other than its standard warranty which is one year after date of purchase. In some cases, the manufacturer warranty may exceed the distributor's warranty and our company would pass through the manufacturer warranty term to TDOT. It is believed that the State is requiring a 5 year warranty in this section. Is that correct? Would the State consider amending its terms or allow our Company to respond to this bid with the following revision clarifying</p>	<p>See response to question #19.</p>

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<p>the warranty?</p> <p>Contractor represents and warrants that the term of the warranty (“Warranty Period”) shall be <del>the</del> <u>greater of either</u> the Term of this Contract or any other warranty generally offered by Contractor, its suppliers, or manufacturers to customers of its goods or services</p>	
<p>26 <b>7.9 Termination for Cause.</b>  While we believe that the likelihood of a breach is close to zero, we would appreciate that the State give written notice and an opportunity to cure prior to terminating as our company would diligently work to immediately correct any problem.</p> <p>Will the State possibly amend its terms or allow our company to propose the following revision with its bid response?  If the Contractor fails to properly perform its obligations under this Contract in a timely or proper manner, or if the Contractor materially violates any terms of this Contract (“Breach Condition”), <u>after written notice and a five (5) business day opportunity to cure,</u> the State shall have the right to immediately terminate the Contract and withhold payments in excess of compensation ...</p>	<p>See response to question #19.</p>
<p>27 <b>Item Specifications</b></p> <p>Can the State clarify the Item numbers listed? Are these State Internal numbers? Is there any requirements around make and model of items?</p>	<p>The Item numbers listed in the specifications are internal State identifiers.</p>

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28 <b>Item Specifications</b>  Can the State clarify the Item numbers listed? Are these State Internal numbers? Are there any requirements around make and model of items?	See response to question #27.
29 <b>Item Specifications</b>  Can the State provide annual usage for the five sites listed?	This information is not available.
30  <b>Item Specifications</b>  Can the State provide further detail on how the sites are ordering logo'd products? For example, quarterly/semi-annual bulk orders? Daily transactions?	Bidders should be prepared to supply all items on a daily basis.
31 Does \$340,000 estimate the total purchase per year?	See response to question #17.
32 Are the quantities provided based on actual usage for a year? If not, can the yearly usage be provided?	The item quantity info listed in the solicitation is based on an estimate of annual usage. Actual usage data is not available.
33 Can we provide more than one sample option (alternative) for evaluation and testing?	Yes but respondents are limited to only one alternative sample per product category.
34 Will we have the ability to ask additional questions about alternatives once we receive a response from the state? Questions and Comments extended?	The State can conduct clarifications on any questions that may arise after receiving said samples. Clarifications will be conducting on a one-on-one basis meaning the questions and comments will not be extended for all respondents.
35 The hard hat pictures do not meet the descriptions listed. Are the hard hats vented or non-vented?	The hard hats shown in the photos are vented, as required. The photos do not show the vents as they are on the sides.

**2. Replacing the ITB Specifications in it's entirety (any sentence or paragraph containing revised or new text is highlighted):**

“Hi-Viz Safety Product Specifications\_Final v2” attached to the event. All changes made to the Specifications is highlighted within the PDF.