

# State of Minnesota

## Minnesota State Lottery (MSL)



### REQUEST FOR BID

9 Pocket Brochure Holders – dated 3-19-20

Date Posted: Monday, March 30, 2020

- Responses must be received not later than 2pm, Central Time, Monday, March 30, 2020
- Late responses will not be considered

#### **Minnesota's Commitment to Diversity and Inclusion**

The State of Minnesota is committed to diversity and inclusion in its public procurement process. The goal is to ensure that those providing goods and services to the State are representative of our Minnesota communities and include businesses owned by minorities, women, veterans, and those with substantial physical disabilities. Creating broader opportunities for historically under-represented groups provides for additional options and greater competition in the marketplace, creates stronger relationships and engagement within our communities, and fosters economic development and equality.

To further this commitment, the Department of Administration operates a program for Minnesota-based small businesses owned by minorities, women, veterans, and those with substantial physical disabilities. For additional information on this program, or to determine eligibility, please call 651-296-2600 or go to

[www.mn.gov/admin/oep](http://www.mn.gov/admin/oep).

**SPECIAL NOTICE:** This is a request for bid. It does not obligate the State of Minnesota or the Minnesota State Lottery to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest.

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## Solicitation Attachments

- Attachment A: Responder Declarations
- Attachment B: Pricing
- Attachment C: Veterans Preference Form (If Applicable)

## Sample Contract

- Exhibit A: Contract Terms
- Exhibit B: Insurance Requirements
- Exhibit C: Specifications, Duties, and Scope of Work
- Exhibit D: Pricing
- Exhibit E: Image / Measurements

## SECTION 1 – INSTRUCTIONS TO RESPONDERS

Steps for  
Completing Your  
Response

Follow the steps below to complete your response to this Solicitation:

- Step 1: Read the solicitation document and ask questions, if any
- Step 2: Write your response
- Step 3: Sign and submit your response

Incomplete  
Submittals

A response must be submitted along with any required additional documents. Incomplete responses that materially deviate from the required format and content may be rejected.

### STEP 1 – READ THE SOLICITATION DOCUMENT & ASK QUESTIONS, IF ANY

How to Ask  
Questions

The contact person for questions is:

**Kolby Sabrina, Buyer**  
**MSL Purchasing Department**  
**[purchasing@mnlottery.com](mailto:purchasing@mnlottery.com)**

Questions should be emailed to the contact by Tuesday, March 24, 2020.  
Other personnel are not authorized to answer questions regarding this Solicitation.

### STEP 2 – WRITE YOUR RESPONSE

The Response Content section is in Section 4. Prepare a written response and supply all requested content.

### STEP 3 – SIGN & SUBMIT YOUR RESPONSE

Where to Send  
Your Response

Submit your response to:

Submit your response to:

Purchasing Department  
9 Pocket Brochure Holders – dated 3-19-20  
2645 Long Lake Rd  
Roseville, MN 55113

All costs incurred in responding to this solicitation will be borne by the Responder.

Emailed and Faxed responses will not be accepted.

By signing this response, your company is making a binding legal offer for the period of time set forth below in Section 5, Paragraph 10, Conditions of Offer.

Response  
Submission  
Deadline

Must be received not later than 2pm, Central Time,  
Monday, March 30, 2020, as indicated by a notation made by the Receptionist.  
Late responses will not be considered.

## SECTION 2 – SUMMARY OF SCOPE

### **1. Procurement Overview and Goals.**

The purpose of this solicitation is to receive responses and award a contract to provide 9-pocket brochure holders. The MSL uses the 9 Pocket Brochure Holders to display Lottery literature at our retail locations.

### **2. Sample Tasks and Deliverables.**

Fabrication of a 9-pocket brochure holder and drop shipped as indicated in the solicitation documents.

## SECTION 3 – BID INSTRUCTIONS AND ADDITIONAL INFORMATION

### 1. Anticipated Contract Term.

The term of this contract is anticipated to be from April 3, 2020 to the anticipated delivery date of June 15, 2020.

### 2. Question and Answer Period.

Prospective responders who have any questions regarding this solicitation may contact:

Questions are to be submitted in writing via fax or email by the question deadline date, to the attention of Kolby, Buyer, subject line to include '9 Pocket Brochure Holders – dated 3-19-20'.

Responses to questions will be posted by addendum on the MSL Vendors web page:

<https://www.mnlottery.com/vendors/>. The MSL is not responsible for transmission failures due to a bidder submitting their question via fax or email or MSL responding with an email or fax notification.

Deadline for questions: Tuesday, March 24, 2020

NOTE: It is the responsibility of all bidding vendors to monitor the MSL 'Vendors' web page for addendums, updates, questions/answers, etc. for this RFB, through the bid due date deadline.

All questions should be submitted no later than the date and time listed in Section 1, Instructions to Responders. The State is not obligated to answer questions submitted after the questions/clarifications due date and time.

Only personnel listed above are authorized to discuss this solicitation with responders. Contact regarding this solicitation with any personnel not listed above could result in disqualification. If a Responder discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in the solicitation, please immediately notify the contact person detailed above in writing of such error and request modification or clarification of the document.

### 3. Response Submission Instructions.

All responses to this solicitation must be submitted and received at the MSL Headquarters, 2645 Long Lake Rd, Roseville, MN 55113 Attn: Purchasing Dept RE: 9 Pocket Brochure Holders – dated 3-19-20 no later than the Event End Date and time as set forth. **Late responses will not be considered.** Fax and e-mail responses will be accepted or considered. All costs incurred in responding to this solicitation will be borne by the responder.

Responses received after End Date above will not be considered, even if errors or delays were caused by issues outside of responders' control.

## SECTION 4 – RESPONSE CONTENT

Please submit the following information:

1. Price Information. Complete and submit Attachment B “Pricing” attached to this solicitation.
2. Additional Requested.
  - Manufacturers material Sample Required (even if bidding on requested substrate):
  - MUST INCLUDE: Sample of labeled spec'd material of proposed alternate required with bid response.
  - Vendor must provide a manufacturer's data sheet for any materials including the product, name, weight, etc.”
  - Manufacturers material sample(s) to be provided with the Solicitation at the due date and time (Finish time) of the Solicitation by the responder at no Charge to the MSL.
    - If sample(s) are not provided with the Solicitation the responder shall provide the sample within three business days of the Solicitation due date and time (Finish Time).
  - Failure to provide material samples may result in rejection of the Solicitation response.

Submit all requested documentation, including, but not limited to, the following documents:

1. Attachment A: Responder Declarations
2. Attachment B: Pricing
3. Veterans Preference Form (If Applicable)
4. Manufacturers Sample

## SECTION 5 – SOLICITATION TERMS

### 1. Competition in Responding.

The State desires open and fair competition. Questions from responders regarding any of the requirements of the Solicitation must be submitted in writing to the Solicitation Administrator listed in the Solicitation before the due date and time. If changes are made the State will issue an addendum.

Any evidence of collusion among responders in any form designed to defeat competitive responses will be reported to the Minnesota Attorney General for investigation and appropriate action.

### 2. Addenda to the Solicitation.

Changes to the Solicitation will be made by addendum with notification and posted in the same manner as the original Solicitation. Any addenda issued will become part of the Solicitation.

### 3. Joint Ventures.

The State allows joint ventures among groups of responders when responding to the solicitation. However, one responder must submit a response on behalf of all the others in the group. The responder that submits the response will be considered legally responsible for the response (and the contract, if awarded).

### 4. Withdrawing Response.

Before the time for responding has ended, a responder may withdraw its response. For solicitations in the SWIFT Supplier Portal, a responder may withdraw its response from the SWIFT Supplier Portal. For solicitations done any other way, a responder may withdraw its response by notifying the contact person for this solicitation in writing of the desire to withdraw.

After the time for responding has ended, a responder may withdraw a response only upon showing that an obvious error exists in the response. The showing and request for withdrawal must be made in writing to the contact person for this solicitation within a reasonable time and prior to the State's detrimental reliance on the response.

### 5. Rights Reserved.

The State reserves the right to:

- Reject any and all responses received;
- Waive or modify any informalities, irregularities, or inconsistencies in the responses received;
- Require Responders to conduct presentations, demonstrations, or submit samples;
- Award by item (including category, location, etc.), by groups of items, or all items, therefore, the Responder is encouraged to offer a response for all items;
- Award by location; and
- Interview key personnel or references.

### 6. Evaluation of Responses.

The State reserves the right to use estimated usage or scenarios for the purpose of conducting pricing evaluations. The State reserves the right to modify scenarios, and to request or add additional scenarios for the evaluation.

### 7. Samples and Demonstrations.

Upon request, Responders are to provide samples to the State at no charge. Except for those destroyed or mutilated in testing, the State will return samples if requested and at the Responder's expense. All costs to conduct and associated with a demonstration will be the sole responsibility of the Responder.

**8. Responses are Nonpublic during Evaluation Process.**

All materials submitted in response to this Solicitation will become property of the State. During the evaluation process, all information concerning the responses submitted will remain private or nonpublic and will not be disclosed to anyone whose official duties do not require such knowledge. Responses are private or nonpublic data until the completion of the selection process as defined by Minn. Stat. § 13.591. The completion of the selection process is defined as the State having completed its evaluation and has ranked the responses. The State will notify all responders in writing of the selection results.

**9. Nondisclosure of Confidential Information.**

9.1 Responders must not submit as part of their response trade secret material, as defined by Minn. Stat. § 13.37. In the event trade secret data are submitted, Responder must defend any action seeking release of data it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments awarded against the State in favor of the party requesting the data, and any and all costs connected with that defense. The State reserves the right to request additional information as part of the selection process.

9.2 The State does not consider cost to be trade secret material, as defined by Minn. Stat. § 13.37.

**10. Conditions of Offer.**

The prices and terms offered in its response pertaining to the sale of goods will remain firm for 90 days, until they are accepted or rejected by the State.

**11. Award.**

Any award that may result from this solicitation will be based upon the established selection process. The State reserves the right to award this solicitation to a single Responder, or to multiple Responders, whichever is in the best interest of the State, providing each Responder is in compliance with all terms and conditions of the solicitation. The State reserves the right to accept all or part of an offer, to reject all offers, to cancel the solicitation, or to re-issue the solicitation, whichever is in the best interest of the State.

**12. Requirements Prior to Contract Execution.**

Contract documents, including the bond and insurance requirements stated in the Solicitation, must be submitted to the State prior to contract execution. Failure to comply may result in cancellation of the award.

**13. Targeted Group, Economically Disadvantaged Business, Veteran-Owned and Individual Preference.**

Unless a greater preference is applicable and allowed by law, in accordance with Minn. Stat. § 16C.16, businesses that are eligible and certified by the State as targeted group (TG) businesses, economically disadvantaged (ED) businesses, and veteran-owned businesses will receive points equal to 6% percent of the total points available as preference.

For TG/ED/VO certification and eligibility information visit the Office of Equity in Procurement website at <https://mn.gov/admin/business/vendor-info/oep/> or call the Division’s Helpline at 651.296.2600.

**14. Reciprocity.**

State shall comply with Minn. Stat. § 16C.06, subd. 7, as that applies to a non-resident vendor. This paragraph does not apply for any project in which federal funds are expended.

**15. DEED and DHS Preference.**

In accordance with Minn. Stat. § 16C.155, eligible DEED/DHS providers will receive points equal to 6% percent of the total points available.



**16. Preference Environmental.**

The State desires to purchase environmentally responsible goods and services where practicable. When feasible and when the price of recycled materials does not exceed the price of non-recycled materials by more than 10%, the Commissioner, and State agencies when purchasing under delegated authority, must purchase recycled materials. See Minn. Stat. § 16C.0725.

**17. Specifications.**

Response will be held to strict compliance with the specifications. If a response deviates from the specifications, the deviation must be clearly noted and the State reserves the right to reject the response. All specifications are for new items unless otherwise noted in the solicitation. When brand name or manufacturer's name or numbers are stated in the specifications, they are intended to establish a standard only and are not restrictive unless the solicitation states: "No Substitute." Responses may be considered on other alternate makes, models, or brands having comparable quality, style, and performance characteristics. Any alternates included in a response are subject to State approval.

**18. Distributor or Manufacturer's Representative.**

If your company is a distributor or manufacturer's representative, as defined in MN Rules 1230.0150, and you are submitting an offer on behalf of the Original Equipment Manufacturer (OEM), your company must either:

- Be listed on the OEM's website as an authorized distributor or an authorized manufacturer's representative, or
- You must provide a letter from the OEM, on the OEM letterhead, stating the Responder is authorized to sell the specific product listed in the Solicitation, or the OEM's full line of products, and that all OEM equipment warranties are applicable. (This requirement may be met by attaching the OEM letter to the Solicitation response.)

The Responder shall be the single point of contact through which customers will arrange warranty work that is still covered under the original equipment manufacturer's warranty on the equipment that is purchased.

Pursuant to MN Rules 1230.0150, responses from brokers will not be accepted.

**19. Prompt Payment Discounts Offered.**

If a responder offers a discount for a payment made in less than 30 days, this discount will not be considered in the evaluation of the response. The date from which discount time is calculated shall be the date of receipt of the invoice, receipt of shipment, or date of acceptance, whichever is later. If testing is performed, however, then the date shall be the date of acceptance of the goods or services.