

Department of Transportation
SB/DVBE OPTION - REQUEST FOR QUOTES (IT GOODS)
Caltrans Instructions to Bidders
(Rev. 3/2017)

- 1) **Conditional Awards:** Award will be conditional on providing the quotation information set forth below and acceptance of the contract provisions. Caltrans does not accept alternate or modified contract provisions or forms from a bidder. A quote with such changes will be considered a counter proposal and will be rejected. All quotes shall include the documents identified in the Required Documents Checklist (page 2). Quote submittals not including the required attachments shall be deemed non-responsive. Bidder may provide its quotes on the quote sheet or its own letterhead as long as quantities, unit of measure, Commodity or Product Code (if applicable), and Description/Specifications/Pallet Requirements are exactly the same as the quote sheet – changes or incorrect information on the bidder's letterhead may be deemed non-responsive. A non-responsive quote is one that does not meet the basic quote requirements.
- 2) **Method of Award:** This solicitation shall be awarded to the lowest responsive responsible bidder as indicated by the checked box for Quotation Award on the quote sheet. The award of this request shall be determined by Caltrans, Division of Procurement and Contracts.

Quote Requirements

- 3) **Delivery:** Final delivery, inspection, and acceptance shall be at the location indicated on the shipping address.
- 4) **Quotes:** Prices noted on the attached quote sheet(s) shall be all inclusive. Only the prices/charges submitted in the quote response shall be accepted and included in the awarded purchase order.
- 5) **Sales Tax:** is not to be included on the quote sheet. If awarded this bid, the Purchase Order will include applicable sales tax. Sales tax should be added at time of invoicing. The sales tax rate applied should be based on the rate of the area where the product is to be delivered, unless the deliverable is a vehicle, in which case the sales tax rate applied should be based on the rate where the vehicle will be registered with the California Dept. of Motor Vehicles (DMV). Unless otherwise required by law, the State of California is exempt from Federal excise taxes. The State will only pay for a State or local sales or use tax on the services rendered or goods supplied to the State pursuant to this contract.
- 6) **Quotation Award:** For the purposes of this solicitation, contract award will be made as indicated on the Quote Sheet.

The Purchase Order, if awarded, shall be awarded to the responsible bidder who submits the lowest price quote and meets all of the specifications. A price quote meets the specifications if it complies with all of the requirements in the solicitation. In the event of a tie quote, Caltrans will draw lots to determine the successful contractor. Only one price quote may be submitted by an entity, individual, firm, partnership, corporation, joint venture or combination thereof. Receipt of more than

one price quote from an entity will result in all quotes from that entity being rejected and returned to the bidder.

- 7) **Cash Discounts:** Cash discounts will not be considered when evaluating bid responses for award purposes. However, cash discounts may be offered and taken when processing invoices within the timeframe specified.
- 8) **Shipment:** For the purposes of this solicitation, only quotes with FOB Destination freight prepaid will be accepted. Freight cost shall be included in cost of commodity – no additional freight charges added by vendor. State does not own goods during shipment.
- 9) **Bidder's Instructions and General Provisions:** The referenced [Bidder's Instructions](#) (GSPD-451) and [General Provisions](#) (GSPD-401IT) have recently been revised. Please read carefully.
- 10) **Quotation Attachments:** Bid responses that reference a supplier's own terms and conditions or provisions will be considered non-responsive and will be rejected.
- 11) **Important Note:** Bids shall be submitted by the bid due date and time. If no time is stated for the quote submission due date and time, the time shall be by close of business on the date it's due.
- 12) **Two Price Quotes:** Pursuant to Government Code Section 14838.5, Caltrans must receive at least two price quotes from a certified SB, MB or DVBE before it can make a contract award. Therefore, at Caltrans' discretion, if only one price quote is received, the timeframe for receipt of price quotes may be extended up to one month in order to receive the minimum number of quotes required by the Government Code. All prospective bidders will be notified via email, fax, or telephone of any extensions.
- 13) **Responsive Bidder:** A vendor provides a bid response that is compliant with solicitation requirements and indicates performance without material deviation from the terms and conditions of the proposed purchase order.
- 14) **Responsible Bidder:** Caltrans may require bidder(s) to submit evidence of their qualifications at such times and under conditions, as it may deem necessary. The question of whether a particular bidder is a responsible bidder may involve an evaluation of the bidder's experience, type of facility, expertise or financial resources regarding the particular items requested by the pertinent solicitation. If a bidder has been determined to be non-responsible, the quote shall be rejected.
- 15) **Rejection of Price Quote:** A price quote may be rejected if it is conditional, incomplete, or if it contains any alterations of form or other irregularities of any kind. Caltrans may reject any price quote on the basis that it is not responsive or from a responsible bidder and may waive any immaterial deviation in a quote. Caltrans' waiver of an immaterial defect shall in no way modify the SB-DVBE Option document or excuse the bidder from full compliance with all requirements if awarded the Purchase Order.
- 16) **Costs of Price Quotation:** The costs for developing price quotations and in anticipation of award of the purchase order are entirely the responsibility of the bidder and shall not be charged to the State.

- 17) **Modify Price Quote:** A bidder may modify a price quote after its submission by first withdrawing the original price quote and then by resubmitting a new price quote prior to the price quote submittal deadline. Bidder modifications offered in any other manner, oral or written, will not be considered.
- 18) **Questions Regarding the Request for Quote:** Bidders requiring clarification of the intent or content of this RFQ or on procedural matters regarding the competitive RFQ process may request clarification by submitting questions in writing prior to the quote due date to the procurement official (Requester) identified in this RFQ (refer to page 1).
- 19) **Seller's Permit:** If applicable, please note that award will be conditional on providing the following document prior to award. You must provide your company's California retailer's seller's permit or certification of registration and, if applicable, the permit or certification of all participating affiliates, issued by California's State Board of Equalization (BOE), pursuant to all requirements as set forth in Sections 6487, 7101 and sections 6452.1, 6487.3, 18510 of the Revenue and Taxation Code, and Section 10295.1 of the Public Contract Code.
- In order to expedite the process of verifying the validity of the permit, provide the BOE seller's permit number (or attach a copy of the permit with your proposal/quote).
- 20) **New Equipment:** All equipment to be provided in response to a State of California solicitation shall be new and latest model in current production. Used, shopworn, demonstrator, prototype or discontinued models are not acceptable.
- 21) **Standard Title VI/Nondiscrimination Assurances (Dot Order No. 1050.2A):** "The California Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively insure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."
- 22) **California Civil Rights Laws Certification:** Any person that submits a bid or proposal to, or otherwise proposes to enter into or renew a contract with, a state agency with respect to any contract in the amount of one hundred thousand dollars (\$100,000) or more shall certify, under penalty of perjury, at the time the bid or proposal is submitted or the contract is renewed, that they satisfy all of the conditions set forth in California Public Contract Code section 2010, and they shall execute the [California Civil Rights Laws Certification](#).
- 23) **State Agency Buy Recycled Campaign (SABRC) Program:** Departments will consider Recycled Content Products (RCP) in conducting its purchasing activities. All departments are required to comply with the RCP requirements of the State Agency Buy Recycled Campaign contained in PCC Sections 12200-12217.
- The SABRC reportable categories and requirements are located on the [CalRecycle](#) website.

24) Caltrans Service Marks

This is an example of the department's service marks. If requested in this solicitation, this is what will be displayed on the deliverable as detailed in the specifications. The original artwork and vendor's usage rights will be granted only to the awardee for the performance of these services. Vendor will use the Department's service marks only in connection with producing and/or manufacturing the deliverables and for no other purpose.

